

Thursday, March 19, 1942, at 10 a. m., for consideration of H. R. 6483. The hearing will be held in room 1304, New House Office Building.

COMMITTEE ON IRRIGATION AND RECLAMATION

The Committee on Irrigation and Reclamation will meet at 10:30 a. m., Thursday, March 19, room 353, House Office Building, for the further consideration of H. R. 6522.

COMMITTEE ON THE JUDICIARY

On Saturday, March 21, 1942, at 10 a. m., hearings will be resumed on H. R. 6444, to provide for the registration of labor organizations, business and trade associations, and so forth, before subcommittee No. 3 of the Committee on the Judiciary. The hearings will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1514. A communication from the President of the United States, transmitting emergency supplemental estimates of appropriations, totaling \$17,579,311,253, fiscal year 1942, to remain available until June 30, 1943, for the military activities of the War Department, together with five drafts of proposed provisions (H. Doc. No. 680); to the Committee on Appropriations and ordered to be printed.

1515. A letter from the Secretary of War, transmitting a draft of a proposed bill to increase the monthly maximum number of flying hours of air pilots, as limited by the Civil Aeronautics Act of 1938, because of the military needs arising out of the present war; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. H. R. 6738. A bill to limit the initial base pay of \$21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade; without amendment (Rept. No. 1908). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 6782. A bill to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the detective bureau of the Metropolitan Police Department, and for other purposes; without amendment (Rept. No. 1909). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 6156. A bill to amend section 321, title III, part II, Transportation act of 1940, with respect to the movement of Government traffic; without

amendment (Rept. No. 1910). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H. R. 6806. A bill providing for the registration of women between the ages of 18 and 65 under the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

By Mr. MAAS:

H. R. 6807. A bill to establish a Women's Auxiliary Reserve in the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. HOFFMAN:

H. R. 6808. A bill to in part compensate the men in the armed forces of the United States who are serving in combat units in combat areas; to the Committee on Military Affairs.

By Mr. CELLER:

H. R. 6809. A bill for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. VAN ZANDT:

H. Res. 460. Resolution that the manuscript entitled "Benefits Available to Officers and Enlisted Men and Their Dependents, Under Laws Administered by the Veterans' Administration," be printed as a public document; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of Indiana:

H. R. 6810. A bill granting a pension to Amelia Branson; to the Committee on Invalid Pensions.

By Mr. REECE of Tennessee:

H. R. 6811. A bill for the relief of Fred Henry; to the Committee on Claims.

H. R. 6812. A bill for the relief of Robert C. Duff; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2575. By Mr. DIRKSEN: Petition of 150 citizens of Delavan, Ill., advocating the enactment of Senate bill 860; to the Committee on Military Affairs.

2576. By Mr. LUTHER A. JOHNSON: Petition of Datus E. Proper, executive vice president, Texas Good Roads Association, Austin, Tex., opposing House bill 6750; to the Committee on Rules.

2577. By Mr. KRAMER: Petition of the Board of Supervisors of the County of Los Angeles, Los Angeles, Calif., requesting the Work Projects Administration in Washington to fully utilize, consistent with the interests of the national defense, various Work Projects Administration music projects to the end that their personnel may not be unwisely dispersed; to the Committee on Ways and Means.

2578. Also, petition of the Lions Club of Los Angeles, Calif., demanding that all Japanese, both alien and American, be immediately removed from Pacific coast areas and from defense areas of the Territory of Hawaii, to prevent sabotage and espionage; to the Committee on Military Affairs.

2579. By Mr. MCGREGOR: Petition of Richard F. Farley, of Mount Vernon, Ohio, and approximately 70 other residents of Knox County, Ohio, urging the immediate passage of Senate bill 860, known as the Sheppard

bill, to preserve the health, welfare, and safety of our armed forces by preventing the sale of beer in our Army camps and the sale of hard liquor and the establishment of houses of prostitution in the vicinity of Army camps; to the Committee on Military Affairs.

SENATE

THURSDAY, MARCH 19, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God and Heavenly Father, who dost suffer us to be tempted in order that we may be strong: Lay not more upon us than Thou wilt enable us to bear, and if Thou sendest weakness, yet, for Thy mercy's sake, deny us not the comfort of true patience, since the fretfulness of our spirits is frequently more hurtful than the heaviness of our burdens. And, as Thy servant asked of old, do Thou, O Christ, teach us to serve Thee as Thou deservest; to give and not to count the cost; to fight and not to heed the wounds; to toil and not to seek for rest; to labor nor to seek reward save that of knowing that we do God's will.

Holy Spirit, whose guidance we invoke, take from our hearts all semblance of self-pity or excuse; enlighten our minds with Thy vision of honor, purity, and love; give to our whole being the power so to fight our besetting sin that, though we be scarred, we may win the victory of our Master, Jesus Christ, to whom with Thee and the Father be the loyalty and devotion of our lives, now and forever. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, March 18, 1942, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON, Mr. CULLEN, Mr. COOPER, Mr. CROWTHER, and Mr. KNUTSON were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 6802) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1943, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to

the following enrolled bills, and they were signed by the Vice President:

S. 1564. An act for the relief of Pauline Caton Robertson;

S. 1669. An act for the relief of James Franklin Smith;

S. 1777. An act for the relief of Robert Lee Phillips and for the six minor children of Robert Lee Phillips and the late Estelle Phillips, namely, Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillips, Charles Ray Phillips, and David Delano Phillips;

S. 1898. An act for the relief of the heirs of Mrs. Nazaria Garcia, of Winslow, Ariz.;

S. 1906. An act for the relief of the estate of O. K. Himley;

S. 2063. An act to authorize certain officers and enlisted men of the Army of the United States to accept emblems, medals, orders, and decorations that have been tendered them by governments of the Western Hemisphere; and

S. 2198. An act to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barkley	Gurney	Reed
Bilbo	Hayden	Reynolds
Bone	Herring	Rosier
Brewster	Holman	Russell
Brooks	Hughes	Schwartz
Brown	Johnson, Calif.	Shipstead
Bulow	Johnson, Colo.	Smathers
Burton	La Follette	Smith
Butler	Langer	Spencer
Byrd	Lee	Stewart
Capper	Lucas	Taft
Caraway	McCarran	Thomas, Idaho
Chandler	McFarland	Thomas, Okla.
Chavez	McKellar	Thomas, Utah
Clark, Idaho	McNary	Truman
Clark, Mo.	Maloney	Tunnell
Connally	Maybank	Tydings
Danaher	Mead	Vandenberg
Davis	Millikin	Van Nuys
Doxey	Murdock	Walsh
Ellender	Murray	Wheeler
George	Nye	White
Gerry	O'Daniel	Willis

Mr. BARKLEY. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Alabama [Mr. HILL] is detained on public business.

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Jersey [Mr. BARBOUR] is an honorary pallbearer at

the funeral of a friend, and therefore is necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Massachusetts [Mr. LODGE] is necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by a meeting of citizens of southwest Washington, held under the auspices of the Southwest Civic Association, favoring the prompt abolition of the Alley Dwelling Authority for the District and the substitution thereof of a housing board to be under the Commissioners of the District of Columbia; to the Committee on the District of Columbia.

A resolution adopted by the Pan American League at Miami, Fla., favoring repeal of the 40-hour-week provision of the wage-and-hour law or any other legislation which may handicap or limit a hundred percent, 24-hour-a-day, 7-day-a-week war production effort, and also favoring the enactment of such legislation as will assure the fullest production of ships and other war materials during the existing war emergency; to the Committee on Education and Labor.

A resolution adopted by the executive committee of the Filipino National Alliance in San Francisco, Calif., favoring the enactment of the so-called Marcantonio bill, to authorize the naturalization of Filipinos who are permanent residents of the United States; to the Committee on Immigration.

A resolution unanimously adopted by a meeting of Local No. 443, National Federation of Post Office Clerks, of Youngstown, Ohio, pledging unqualified loyalty and support to the various branches of the Government and to the Republic in the present war crisis; to the Committee on Military Affairs.

A petition of sundry citizens of Pittsburgh and vicinity, Pennsylvania, praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. CAPPER:

A resolution adopted by the board of directors of the Franklin County National Farm Loan Association, Ottawa, Kans., favoring the enactment of legislation to continue the 3½ percent interest rate on Federal land bank and Land Bank Commissioner loans for a period of 5 years; to the Committee on Banking and Currency.

PROHIBITION OF LIQUOR SALES AND SUPPRESSION OF VICE AROUND MILITARY CAMPS—PETITION

Mr. MALONEY. Mr. President, I present a petition which I have received from Mrs. Mary Hamilton Stocks, of 217 South Highland Street, West Hartford, Conn., and signed by her and numerous other persons, praying for the immediate passage of Senate bill 860. I ask that the petition may be received and, under the rule, appropriately disposed of.

The VICE PRESIDENT. Without objection, the petition presented by the

Senator from Connecticut will be received and lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPENCER, from the Committee on Claims:

H. R. 2545. A bill for the relief of Chin Hoy; without amendment (Rept. No. 1175); and

H. R. 3091. A bill for the relief of Martin J. Price; without amendment (Rept. No. 1176).

By Mr. BROOKS, from the Committee on Claims:

S. 716. A bill for the relief of Hazel M. Lewis; with an amendment (Rept. No. 1177);

S. 2048. A bill for the relief of Lt. William Stewart Walker; with an amendment (Rept. No. 1178); and

S. 2116. A bill for the relief of Frank S. Mathias and Elsie Mathias; with an amendment (Rept. No. 1179).

By Mr. ROSIER, from the Committee on Claims:

S. 2069. A bill for the relief of the Quimby-Ryan Engineering Sales Co., Inc.; with an amendment (Rept. No. 1180).

By Mr. ELLENDER, from the Committee on Claims:

S. 1227. A bill for the relief of Mr. and Mrs. R. F. Claud; with an amendment (Rept. No. 1181);

S. 1334. A bill for the relief of Anthony Famigletti; with an amendment (Rept. No. 1182);

S. 2309. A bill for the relief of the First National Bank of Huntsville, Tex.; without amendment (Rept. No. 1183); and

H. R. 5576. A bill for the relief of A. L. Freeman; without amendment (Rept. No. 1184).

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

S. 2025. A bill to readjust the pay and allowances of personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; with amendments (Rept. No. 1185).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NYE:

S. 2386. A bill to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, N. Dak.; to the Committee on Commerce.

By Mr. REYNOLDS:

S. 2387. A bill to equalize the rates of pay of all personnel in the United States Army, the Philippine Scouts, and the Philippine Commonwealth Army, and for other purposes; to the Committee on Military Affairs.

By Mr. WILLIS:

S. 2388. A bill to establish a Women's Auxiliary Reserve in the Navy, and for other purposes; to the Committee on Naval Affairs.

(Mr. REYNOLDS introduced Senate bill 2389, which was referred to the Committee on Commerce, and appears under a separate heading.)

FLYING HOURS OF AIR PILOTS

Mr. REYNOLDS. Mr. President, I ask consent to introduce a bill the purpose of which is to make it possible to utilize, in the Army and Navy, the services of experienced air-line pilots without interrupting domestic air-line schedules. The bill, by its own limitations, would expire 6 months after the termination of the war or at such earlier time as the Congress by concurrent resolution, or the President, might designate.

I ask that the bill be referred to the Committee on Commerce, and I request

that the Secretary be instructed to transmit to the committee the letter which I hold in my hand, under date of March 17, 1942, directed to me by the Honorable Henry L. Stimson, Secretary of War.

There being no objection, the bill (S. 2389) to increase the monthly maximum number of flying hours of air pilots, as limited by the Civil Aeronautics Act of 1938, because of the military needs arising out of the present war, was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

CHANGE OF REFERENCE

On motion by Mr. BROWN, the Committee on Claims was discharged from the further consideration of the bill (S. 925) for the relief of Lemuel T. Root, Jr., and it was referred to the Committee on Public Lands and Surveys.

HOUSE BILL REFERRED

The bill (H. R. 6802) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1943, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

INCREASE OF DEBT LIMIT

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GEORGE. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. GEORGE, Mr. BYRD, and Mr. LA FOLLETTE conferees on the part of the Senate.

A VICTORIOUS UNITED STATES—ADDRESS BY SENATOR GREEN

[Mr. BARKLEY asked and obtained leave to have printed in the Record an address on the subject, A Victorious United States, delivered by Senator GREEN at the annual dinner of the Friendly Sons of St. Patrick, March 17, 1942, at Providence, R. I., which appears in the Appendix.]

REPORT OF FLOYD B. ODLUM ON PROBLEMS OF SMALL MANUFACTURERS

[Mr. CAPPER asked and obtained leave to have printed in the Record a report by Mr. Floyd B. Odum, formerly Director of the Division of Contract Distribution of the Office of Production Management, of the activities of his Division and the problems of small business, which appears in the Appendix.]

ADDRESS BY SENATOR CAPPER ON PROBLEMS OF SMALL BUSINESS

[Mr. CAPPER asked and obtained leave to have printed in the Record a radio address delivered by him on March 15, 1942, on the problems of small business, which appears in the Appendix.]

TALK BY EDWARD BRUCE AT LUNCHEON IN HONOR OF MRS. ROOSEVELT

[Mr. THOMAS of Utah asked and obtained leave to have printed in the Record the in-

formal talk by Edward Bruce on May 16, 1941, at a luncheon in honor of Mrs. Roosevelt, which appears in the Appendix.]

TRANSPORTATION THROUGH THE LOCKS AT SAULT STE. MARIE

[Mr. BROWN asked and obtained leave to have printed in the Record an article by W. K. Kelsey, of the Detroit News, on transportation through the Sault Ste. Marie locks, which appears in the Appendix.]

LABOR AND MANAGEMENT—LETTER FROM ARTHUR B. ADAMS

[Mr. LEE asked and obtained leave to have printed in the Appendix a letter written by Arthur B. Adams, of Norman, Okla., under date of March 12, 1942, to Fred Tarman, editor, the Norman Transcript, Norman, Okla., on the subject of labor and management, which appears in the Appendix.]

THE NATIONAL YOUTH ADMINISTRATION—EDITORIAL FROM CHARLESTON (W. VA.) GAZETTE

[Mr. ROSIER asked and obtained leave to have printed in the Record an editorial published in the March 9, 1942, issue of the Charleston (W. Va.) Gazette on the National Youth Administration in War, which appears in the Appendix.]

COST OF CONGRESSIONAL AND GOVERNMENT DEPARTMENTAL MAIL

Mr. McKELLAR. Mr. President, day before yesterday the senior Senator from Minnesota [Mr. SHIPSTEAD] asked for the cost figures of mail carried free by the Government for Members of Congress, and similar figures for mail carried free for the executive departments. I did not have the figures at my command at the time, but I have them, now, and wish to insert them in the Record.

For Members of Congress, the total amount expended for all franked mail was \$926,843. For all the departments, the amount was \$49,020,190; the difference between the two being the difference between \$926,000 and \$49,020,000, or nearly 50 to 1.

ELIMINATION OF TAXATION ON DEFENSE AND WAR CONTRACTS

Mr. DAVIS. Mr. President, I have received a number of telegrams relative to House bill 6750, which seeks to eliminate taxation on defense and war contracts. I wish to call particular attention to a telegram which I have received from the Honorable I. Lamont Hughes, secretary of highways of the State of Pennsylvania, wherein he says that this measure, if enacted, would deal a staggering blow to our State and local highway transportation systems. Secretary Hughes states that it would cause financial chaos in our State and local subdivisions of government.

I am also in receipt of a telegram from the Amiesite Corporation of Pennsylvania on the same subject, in which it is stated that if House bill 6750 is passed without a provision for continuing the collection of highway-usage and automotive taxes the highway departments cannot function, and the result will be a break-down of the national highway transportation system, which will imperil our war effort.

Mr. President, I ask unanimous consent to have these two telegrams printed in the Record as a part of my remarks.

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

HARRISBURG, PA., March 17, 1942.

HON. JAMES J. DAVIS,
Washington, D. C.:

Bill H. R. 6750, to eliminate taxation on defense and war contracts, would deal a staggering blow to our State and local highway transportation systems and would cause financial chaos in our State and local subdivisions of government. Your vote against this bill is urged.

I. LAMONT HUGHES,
Secretary of Highways.

UNIONTOWN, PA., March 17, 1942.

Senator JAMES J. DAVIS,
United States Senate,
Washington, D. C.:

If H. R. 6750 is passed without a provision for continuing the collection of highway usage and automotive taxes, the highway departments cannot function. The result will be bankruptcy, and maintenance of national highways cannot be continued. The result will be a break-down of the national highway transportation system, without which the war effort cannot be successful. In its present form H. R. 6750 is the death warrant for all State and most local highway operation. The passage of this bill would leave practically no revenue to the States and local government for highway purposes.

AMIESITE CORPORATION OF PENNSYLVANIA.

WORK STOPPAGES AND THE LIMITATIONS OF THE 40-HOUR WEEK

Mr. DAVIS. Mr. President, I am receiving many letters and telegrams concerning work stoppages and the limitations of the 40-hour week. I am convinced that we are not going to win this war until we have put to effective use all our time and talents. We cannot win on the basis of labor as usual, business as usual, politics as usual. We have a cause to which we should give our all. If we expect to keep our liberties we must be willing to fight for them. Now is the time for group differences to be merged in an all-out effort to win the war by all of us throughout the entire country.

Mr. President, in this spirit I ask unanimous consent to have inserted in the Record, as a part of my remarks, a splendid statement on the Bill of Rights by Benjamin DeCasseres. Always we must remember the liberties for which we fight, and again dedicate ourselves to maintain them with every ounce of our energies, with every beat of our hearts.

There being no objection, the statement referred to was ordered to be printed in the Record, as follows:

THE BILL OF RIGHTS

I have heard the Bill of Rights expounded by learned college professors. I have heard it explained by unlearned Senators. I have myself made some feeble attempts to interpret those first 10 amendments to the Constitution.

But it has remained for a girl of 14, Patricia McCaffrey, of the Academy of the Sacred Heart of Mary, New York City, to put into a few hundred words the most vivid, the most all-comprehensive exposition on our Magna Carta that I have ever heard. (Miss McCaffrey was one of the winners in the New York Journal-American Bill of Rights contest.)

Here it is, and I urge you to cut this out and read it at least once a week:

"The instant I was born there stood around me 10 guardians of my future. They come a long way—through pain and suffering, persecution, intolerance, and the dark, grim battlefield of tyranny. But they were present because they had decreed that this child, the

American, had the right to go forth into the world a free, self-respecting, God-fearing individual.

"The Bill of Rights is the name given to these 10 guardians, and to me they represent the lifeblood of the American way of life—the heart of democracy.

"What is the Bill of Rights? Why, it is the privacy of the home in which I live. It is the streets in which I walk and the parks in which I play. It is the school which I chose to attend, the people I like or dislike, praise or criticize. It is the newspaper I read, the men and the measures I will be able to vote for or against, the calling I wish to follow, the equality of opportunity which stretches out before us all and the manner in which each of us chooses to worship our God.

"All these things and many more form the Bill of Rights. They are all parts of the whole. Destroy one and you destroy them all. With them you have the dignity which is man. Without them you have a hollow pretense called the state.

"With them you have the power to dream great dreams and make dreams come true. Without them you have only the ashes of ignorance and slavery."

Here we have the clear, unclouded mind of a young girl whose brain has not yet been corrupted by mental hemming and hawing, by hair splitting and by logical processes.

Miss McCaffrey begins with a kind of fairy story about the Bill of Rights—and what greater true fairy story is there than the dream of our Bill of Rights in the brains of the founding fathers and its materialization into a vital fact?

And then see how clearly and simply she defines for us mossy-brained oldsters what the Bill of Rights is in the third paragraph.

What an invaluable asset to this Republic the mind of Miss Patricia McCaffrey is.

BENJAMIN DECASSERES.

DESTRUCTION OF PROPERTY BY THE CIVILIAN CONSERVATION CORPS

Mr. DAVIS. Mr. President, I wish also to call attention to the contents of an important letter I have received relative to the destruction of property by the Civilian Conservation Corps. I am withholding the name of the writer, as he has requested.

I am informed that aluminum kitchen utensils becoming dented were destroyed by driving a pick into them and the articles buried on the site of the C. C. C. camps at Mount Union and Mifflin, Pa. Hundreds of pounds of aluminum utensils were buried in this way.

Rubber tires still of use to the Forestry Division were refused this Division and destroyed by burning.

Double-blade axes, becoming nicked on one blade, were destroyed because no provision was made for repairs.

Barracks canvases, valued at \$600 new, were destroyed if and when a few cuts were found in them because no provision was made for repairs. An eyewitness saw five sets of canvases destroyed. Shoes and many articles of apparel still of useful wear to others were destroyed because no provision was made for their disposition so as to reimburse the C. C. C. allotted funds.

Mr. President, this is an intolerable condition, which must be investigated at once, together with numerous other sources of waste and extravagance which are daily being called to my attention.

I am in receipt of an increased number of letters stating that the purchase of National Defense bonds has been halted in many places because those who are

expected to maintain the war effort through taxes and the purchase of bonds have lost confidence in the administration of these funds. These criticisms are advanced without a partisan bias by patriotic Americans who desire improvement of administration in behalf of the national welfare.

Although there is much room for improvement, I am not at all in sympathy with those who say they are losing confidence in Government because of the mistakes which are made. If those in charge of public affairs fail in their responsibilities, changes can and should be made. There is no excuse for loss of confidence in the basic institutions of our Government. We will, we must go on.

ACCELERATION OF WAR PRODUCTION

Mr. O'DANIEL. Mr. President, again I ask unanimous consent to have printed in the RECORD at this point, some more telegrams which I have received from patriotic citizens urging Congress to take immediate action to speed up the production of war material.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

DENISON, TEX., March 18, 1942.

Hon. W. LEE O'DANIEL,
Washington, D. C.:

We demand immediate legislation and action to outlaw all labor strikes and lock-outs to forbid overtime on Sundays and holidays to eliminate 40-hour week, place industry on 24-hour-day, 7-day-week production, to place ceiling on wages, profits, and prices; to have Government crack down on all business-as-usual individual industry and organizations, and force complete mobilization of all sources and resources to win this struggle; to force all citizens to place the interest of this Nation above all selfish desires. This is war. Our men are being killed. We had rather be regimented freemen for the duration and win the peace for our children than be the slaves of totalitarianism.

DENISON LIONS CLUB.

CORPUS CHRISTI, TEX., March 18, 1942.

Senator W. LEE O'DANIEL,
Senate Chamber, Washington, D. C.:
Southside Optimist Club of Corpus Christi, Tex., went on record today favoring the proposition that the executive departments and the Congress take necessary adequate and prompt measures to speed up all war production, and place labor and industry on an emergency record basis.

SOUTHSIDE OPTIMIST CLUB,
GEORGE McILHERN,
Dr. HARVEY BALDWIN,
ALSTON TERRY,
Committee on Resolutions.

GOOSE CREEK, TEX., March 18, 1942.

Senator W. LEE O'DANIEL,
Washington, D. C.:
The 260 members of the Goose Creek Chamber of Commerce unanimously urge your wholehearted support of antistrike legislation, limiting of profit to 6 percent in defense industry, and repeal of 40-hour law with reference to overtime. Remember France and Pearl Harbor.

BOARD OF DIRECTORS, GOOSE
CREEK CHAMBER OF COMMERCE.

NOCONA, TEX., March 18, 1942.

Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:
Resolutions unanimously adopted by Nocona Rotary Club thanking you for past sup-

port of legislation outlawing strikes in war industries. Now we ask your support of pending legislation on this subject and also suspending 40-hour week and limitation of profits for duration of war. Men in armed forces deserve, and civilian population demand, more statesmanship and less politics and abler leadership, and we are looking to you to get it. We are wiring the President asking his support of this type legislation.

JESSE D. WOOD,
W. J. STONE,
HARRY WHITMAN,
Resolution Committee.

ARANSAS PASS, TEX., March 19, 1942.

Hon. W. LEE O'DANIEL,
Member of Senate, Washington, D. C.:
At a meeting of our local Lions Club today, where 30 men representing a cross section of our entire community life of the city of Aransas Pass and its environs, comprising 6,000 people, all other business was suspended in order to discuss the lack of patriotism and criminal selfishness now rampant in certain controlling pressure groups in Washington. A resolution was adopted which contains the statement that the calculating politician in Washington will not long have the opportunity to decide whether all-out war effort is to be subordinated to political expediency; and this means that we demand, first, that strikes in defense industries be stopped by law; that war profiteers be eliminated by law; that the 40-hour week law be repealed; that time and a half and double time in war industries be abolished by law; that 7 days of work in a week in defense plants be compelled by law; abolition of farm bloc and all other pressure groups, especially the labor group now controlled by racketeers. Our local war casualties might not have been had strikes in war industries not been a constant practice by labor racketeers with Congress afraid to assume its responsibility to the people whom it represents, due to threatened reprisals at the ballot box. The country is now aroused for fear we become another France.

THE ARANSAS PASS LIONS CLUB.

CONROE, TEX., March 18, 1942.

W. LEE O'DANIEL,
Senator, Washington, D. C.:
We, representing a group of about 500, have pledged not to support any Congressman or Senator for reelection that will not vote for the repeal of the 40-hour week for the duration of the war. Also, stop all strikes in the defense plants, for we think it is a shame that people cannot work to help win this war without joining some union, while our boys are fighting at the front for \$21 per month. We urge you to get this legislation in action as soon as possible.

H. N. Grogan, L. A. Buckalew, G. R. Grisham, Halley C. Wood, Gordon Verner, J. M. Walters, C. A. Estes, J. C. Walters, C. E. Cook, L. R. Moore, W. E. Anderson, J. G. Grogan, J. S. Bennett, John Spriggs, E. W. Green, C. E. Mott, John Vinson, J. G. Grogan, Jr., D. S. Grogan, C. E. Grogan, J. W. Nichols, T. M. Yancey, Roy J. Cole, J. G. Long, R. A. Stewart.

MARSHALL, TEX., March 19, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

Our county has give 1,000 fine young men in armed service, some of whom have already died due to lack of adequate war implements. We demand you to do what is necessary to put all plants on 24-hour-day, 7-days-each-week basis. Unanimously adopted.

MUNICIPAL DEFENSE COUNCIL,
CITY OF MARSHALL, TEX.,
JOE MCGILVERAY, Secretary.

LUBBOCK, TEX., March 18, 1942.
Senator LEE O'DANIEL,
Washington, D. C.:

The 50 members of the Nancy Anderson Chapters, Daughters of the American Revolution, heartily commend your stand on the question of the elimination of the 40-hour week, excess-profits, and abolition of strikes. We demand that our sons and brothers in the service have necessary equipment now.

Mrs. O. D. HARGIS, Regent.
Mrs. M. B. HILBURN, Secretary.

WICHITA FALLS, TEX., March 18, 1942.
Senator W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

The Lions Club of Wichita Falls, in regular meeting today, urgently requests that immediate action be taken to halt labor stoppages and suggest that all unnecessary quibbling and red tape be eliminated in order that production may be increased immediately. That production lines be operated 24 hours a day and 7 days a week for the duration of the war.

THE LIONS CLUB OF WICHITA
FALLS, TEX., INC.

BEAUMONT, TEX., March 18, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

The President's stand on labor does not make sense when the boys in uniform are working as many hours as necessary to do their job and receiving the measly \$21 per month. It is high time for our Senators to do something about this before it is too late. The public will soon demand action.

C. F. GRAHAM, Jr.

EL PASO, TEX., March 18, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

I wish you would exert every effort to get full-time operation of all war-production facilities on 168-hour-weekly basis.

LEONARD A. GOODMAN.

HOUSTON, TEX., March 18, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

The members of this organization at noon today have unanimously asked that you be apprised that the present trend of the war effort may result in disastrous defeat and complete destruction of the American way of life.

1. We believe that the unwillingness of the President and Congress for labor to risk the loss of social gains or industry to risk the loss of profits is losing the battle on the war front.

2. We believe we cannot win this war with a 40-hour week, overtime, and double time, any more than France did.

3. We believe that permitting 17,000 war-industry workmen to take a holiday on Washington's Birthday within a few hours after the President had pledged MacArthur's men there would be no stoppage in war production encouraged slowing of production throughout industry thus tending to lose the war through destruction of civilian morale and lack of battle equipment.

4. We condemn the attitude of the President or any other official of the Government or any Member of Congress who permits or aids or abets any individual group or industry to put profit or selfish advantage ahead of patriotism.

5. We demand sacrifice by Government officials, by workers, organized and unorganized, and by industry equal to that of our men in the Army, Navy, Marine Corps, and Air Service.

6. Strip for action on the home front as well as on the battle front. This will build

patriotic war spirit that will save America. Woe unto anyone who fails America today.

Kiwanis Club of Houston: Carle Aderman, L. H. Allen, Fred N. Ankenman, Isaac Arnold, R. W. Baldwin, Claud B. Barrett, J. B. Black, A. C. Hutcheson, Charles A. Johnson, Elliott Johnson, Simon H. Johnson, F. B. Kemp, L. W. Kemp, Louie Kler, Jos. S. Smith, Charles F. Spangler, Fred Staacke, Carl G. Stearns, John T. Stough, Maxfield Taylor, A. P. Todd, W. T. Blaine, M. E. Brock, G. D. Bronson, Paul W. Brower, Dawson C. Bryan, J. E. Burkhardt, Sr., O. H. Carlisle, C. F. Carter, J. M. Cary, James Chillum, Jr., J. Howard Clark, Frank C. Clemens, V. O. Clemens, A. R. Cline, W. H. Cocke, E. Cockrell, A. W. Cooley, Allan H. King, Carl M. Knapp, Lawrence Koch, A. C. Krach, Dewitt Krah, Frank H. Lancaster, A. A. Ledbetter, Arthur Lefevre, Jr., Joyce Lehman, J. S. Lindsey, John B. MacFerrin, Verner H. McCall, C. A. McCollum, Milton McGinty, W. H. McMullen, William C. Marshall, J. W. Mason, Jr., Gavin Ulmer, William E. Vandervort, T. J. Vanzant, R. D. Walton, Frank A. Watts, E. E. Weaver, Lee M. Webb, Ewin Werlein, T. F. Wier, L. H. Williams, Paul E. Wise, C. Lee Wood, Knox E. Wright, C. V. Allin, F. D. Shank, Stuart W. Short, W. H. Farrington, George B. Corless, J. C. De La Moriniere, J. Charles Dickson, James G. Donovan, Raymond P. Elledge, M. Farnsworth, William C. Farrington, James Forsyth, C. E. Gilbert, Jr., L. Goldston, M. A. Hamrick, B. D. Harris, William Harrison, F. A. Heimann, D. Henley, Homer G. Hewitt, Ernst Hoffmann, Roy C. Hohl, W. P. Horne, S. N. Hovas, Joe Hudson, Otis Massey, Will C. Miller, Roy D. Montgomery, W. E. Moreland, John T. Moore, E. J. Mosher, Roy Paul, A. L. Peterson, J. A. Phillips, John R. Phillips, George R. d., D. C. Ruthven, Jake H. Sam, D. C. Schnable, G. B. Schnurr, H. A. Scott, Carey Selph, Floyd L. Senter, C. M. Shaw, Frank C. Smith, H. R. Smith, W. G. Wilson, R. L. Dill, Frank Hargis, Henry L. Semler, Floyd Taylor, Floyd Hissong, E. J. Jones, Herman Masur, M. Menke, Will P. Shepherd.

PAMPA, TEX., March 19, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

Our pledge to help win the war. We solemnly pledge that we will refuse to vote for the reelection of any United States Senator or any United States Congressman who does not consistently vote for a law outlawing all strikes in every industry connected with defense and who does not vote to abolish the limitation of 40 hours a week labor in defense industries for the remainder of the war.

The citizens of Pampa: Luke McClellan, Chas. Edwards, Curtis Gilmore, Mack Reeves, George Beasley, M. Sherrod, Emmett Ellis, Dan Gribbon, Carl Treas, A. Callahan, Charles Wagner, Tom Hogan, Price Dosier, Chas. Byrd, Grover Frier, Clare Crawford, Evora Crawford, Lottie Ochiltree, Lena Willis, Dan Williams, Mary Williams, B. Baldrige, Bryon Lilly, Glen Pool, Del Beagle, J. D. Wright, Geo. Riskey, L. Watson, R. Graves, E. Attaway, Russell McConnell, Tracy Garner, Fred Broadnax, Paul Davis,

Dwight Irby, Ruby Daniel, Hursell Burnett, Jim Botkin, Elizabeth Botkin, L. Wilder, M. Wilder, Hudson Collins, E. Bowen, Thelma McWilliams, Esther Wanner, Wilma Hoare, Dorothy Oden, Judge Grant, Bus Hoover, Otho Henville.

HOUSTON, TEX., March 18, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

MacArthur needs guns, planes, and tanks more than ever now. Abandon 40-hour week, put ceiling on prices, wages, and profits. People I contact every day are demanding these things and are distressed over Congress not taking action.

R. H. SCHENEWERK.

EL PASO, TEX., March 19, 1942.
Senator W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

We are for you 100 percent on your labor stand. Keep up the good work. We demand that all nonessential squandering cease; 168-hour war production. This is election year. Mr. and Mrs. C. E. Vogel.

DALLAS, TEX., March 18, 1942.
FOR W. LEE O'DANIEL,

Senate Chamber, Washington, D. C.: All the people in this section are white hot and practically mob spirit prevails in demanding total abolishment of 40-hour labor law and excess pay for overtime, immediate shut-down of all Work Projects Administration and public nondefense projects less than 90 percent complete, immediate antistrike legislation, and immediate conversion of industry to total war production. Roosevelt losing ground fast because of labor policies, and people won't stand it much longer. Mrs. Roosevelt's Ohio speech damaging Democratic Party.

RALPH P. JONES,
Jones Motor & Loan Co.

SAN ANTONIO, TEX., March 18, 1942.
The Honorable W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Directors of real-estate board unanimously approve Smith bill to remove production bottlenecks with respect to labor. Your labor stand endorsed. We favor suspension of Wagner Act for duration, abolition of 40-hour week, modification of overtime-pay requirements, abandonment of closed-shop racketeering, and limitation of war-contract profits.

JOHN E. ZELLER, President,
SAN ANTONIO REAL ESTATE BOARD.

KARNES CITY, TEX., March 18, 1942.
Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:

Whereas we are now engaged in a war in which it is vital that we have full-scale production of all implements of war and defense material, and whereas every strike and walk-out in plants producing such war materials disrupts such full-scale production: Now, therefore, be it

Resolved by the Karnes City Luncheon Club, That we go on record as opposing all strikes in war and defense industries for the duration of the war and go on record in favor of legislation which will control such strikes and labor trouble and in favor of legislation which will allow full-speed production of all necessary war materials.

KARNES CITY LUNCHEON CLUB.

SAN ANTONIO, TEX., March 19, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

The Hawthorne Parent-Teachers' Association members would appreciate you using

your influence in obtaining more action and production and curtailing nondefense expenditures.

THE HAWTHORNE PARENT-TEACHERS' ASSOCIATION.

DEL RIO, TEX., March 18, 1942.

HON. W. LEE O'DANIEL,
Washington, D. C.:

Congratulations on your stand to repeal the 40-hour week and the outlawing of strikes for the duration.

CLAUDE D. LANE.

TRINITY, TEX., March 18, 1942.

Senator W. LEE O'DANIEL,

Washington, D. C.:

We respectfully request the 40-hour week and all other hindrances to the total-war effort be discarded for duration of war. Would appreciate a wire expressing your sentiments.

TRINITY LIONS CLUB.

DALLAS, TEX., March 18, 1942.

HON. W. LEE O'DANIEL,
Care Senate, Washington, D. C.:

We urge you to continue to use every means within your power to prevail upon the President and Congress to suspend the 40-hour week and to enact immediate legislation to prevent strikes. American workmen should not have to pay tribute to labor unions.

MEMBERS OF DALLAS OPTIMISTS CLUB,
AUXILIARY OF OPTIMIST INTERNATIONAL.

LUBBOCK, TEX., March 18, 1942.

Senator LEE O'DANIEL,
Washington, D. C.:

Your aggressive action in passing legislation with teeth in it against strikes in all war industries will meet approval of all your friends here.

A. B. BROWN,
Manager, New Hotel Commercial.

WHITSBORO, TEX., March 18, 1942.

W. LEE O'DANIEL,
Washington, D. C.:

MacArthur's reputation won't kill Japs without hundred-percent support from home. Use your own judgment as to methods, but stop strikes, profiteering, and hour restrictions.

ROTARY CLUB.

SAN ANTONIO, TEX., March 18, 1942.

Senator W. LEE O'DANIEL,
Washington, D. C.:

The Lions Club of San Antonio voted unanimously today to urge you to support legislation to outlaw strikes to prevent by legislation work stoppage by either strikes or lock-outs; to abolish the 40-hour week; eliminate excessive profits and salaries in industries related to national defense for the duration of the war.

LIONS CLUB OF SAN ANTONIO,
ENOS GARY, President.

HOUSTON, TEX., March 18, 1942.

Senator W. LEE O'DANIEL,
Washington, D. C.:

Please tell President taxpayers are fed up with taxes and one-half for overtime in defense production. Workers will give full week if union bosses will permit.

J. E. ECKEL.

CORPUS CHRISTI, TEX., March 18, 1942.

HON. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

We commend highly your earnest efforts to outlaw strikes in defense industries, and join

all patriotic Americans in insisting on immediate repeal of the 40-hour week as a too-long-delayed but vital step in winning the war. Let's not be another France.

L. A. WINSHIP AND FAMILY.

TYLER, TEX., March 18, 1942.

HON. W. L. O'DANIEL,
Washington, D. C.:

The voters of Texas are aroused and demand suspension of 40-hour week. Stop strikes and penalty overtime and suspend politics in Washington for duration of the war.

B. J. PEASLEY.

RAYMONDVILLE, TEX., March 19, 1942.

Senator W. LEE O'DANIEL,
Washington, D. C.:

We of this agricultural section do not limit our work to 40 hours per week; neither do we get time and a half for overtime, nor guaranteed 10 percent plus on our products. We are disgusted with this profiteering and racketeering bickering. Is our Congress a political tool or are they going to equalize the sacrifices that our soldiers are being forced to make? We stand ready, to a man, on the home front to prove our Americanism, and we demand that the same true Americanism be exacted of all labor and industry. Do you mean it when you call for all-out? We do.

RAYMONDVILLE CHAMBER OF COMMERCE.

AVINGER, TEX., March 19, 1942.

Senator W. LEE O'DANIEL,
Washington, D. C.:

Please use your influence and vote for all-out action against strikes and against a 40-hour week in all defense industries for duration.

HOWARD BRIDGE.

HOUSTON, TEX., March 19, 1942.

W. LEE O'DANIEL,
Washington, D. C.:

It is high time that our Senators and Representatives realize that people are aware of troubles that are facing us. We associate with your constituents daily. We believe and we hear and we have a trend of thought in the country for the elimination of 40 hours a week, to eliminate strikes, to eliminate gouging the public Treasury by the officials of cooperations, and we believe a 6 percent profit margin on war contracts should be tops; besides we believe that officials in Government undertaking should know their jobs and stick to them; we believe your constituents want less mouth wash and more action by direct efforts and better efficiency by labor, industrialists, and Government officials who are prone to hand us futures instead of spots lest we forget. Remember the French era from 1937 to 1940 the workers were getting less hours and more pay, sit-down strikes and leisure doles for doing nothing. The industrialists gouged the people and gouged the government. Daladier, Blum, and their click enjoyed the bickering among themselves and feathered their nests and were too weak to come out against the voice of a few people to save their beloved country. They were too unpatriotic to overcome the fear of losing their jobs to save the honor of France. Let's not copy French history. Any sane human knows that inflation cannot be controlled unless farm commodities, wages, and industrial products are controlled. Unless all of the above are controlled we are kidding ourselves about inflation. One cannot be controlled without all the others also.

M. Tumey, G. McVey, M. Callaway, R. Taylor, M. Blue, L. Fleming, P. Evans, J. Ramay, M. Griesenbeck, E. Browne, E. Roessler, F. Hayes, M. Walcik, I. Morrow, F. Fitzgerald, L. E. Ory.

LOCKNEY, TEX., March 19, 1942.

Senator W. LEE O'DANIEL,
Washington, D. C.:

We, the citizens of Lockney, in mass meeting and local American Legion in regular session demand that our congressional delegation support legislation prohibiting strikes, closed shop, and 40-hour week. Believe war can be won only by immediate action to accomplish all possible production of planes, tanks, and guns. Forget social legislation. Give us action now.

Joe McCollum, Bert Vernon, Floyd Huff, S. G. Miller, W. J. Griffith, Arthur P. Barker, Sidney Reeves, Wilson Head, H. W. Schacht, H. P. Clemmons, J. B. Allen, J. E. Cox, W. R. Childres, Fred Hall, R. E. Patterson, A. L. Shaw, J. Marvin Cox, Committee.

SAN JUAN, TEX., March 19, 1942.

Senator W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

DEAR SIR: Please convey our respects to the President of the United States and tell him we want to win this war even if we have to work a hundred hours a week for straight pay, half pay, or no pay at all. We not only oppose the crippling of war products by strikes, and unjustifiable short hours, but also oppose the crippling defense needs production by profiteering capital. San Juan citizens favor complete coordination of entire Nation to win this war and win it quickly.

A. A. SHARRER, Mayor.

(And 600 other citizens of San Juan community assembled this evening.)

PEARSALL, TEX., March 19, 1942.

HON. W. LEE O'DANIEL,
Senate Chamber, Washington, D. C.:

We, the undersigned organization of business and professional men with paid poll taxes are thoroughly disgusted with the attitude of Congressmen and Senators disregarding strikes in industries connected with our national defense and crippling of output by 40-hour work week. We respectfully urge immediate and emphatic support of workable legislation correcting these evils and that enforcement of such legislation be placed in capable hands and not in hands of the present Secretary of Labor. We want action, not brilliant excuses.

ROTARY CLUB OF PEARSALL, TEX.
J. M. GREENWOOD, Secretary.

TYLER, TEX., March 19, 1942.

Senator W. LEE O'DANIEL,
Washington, D. C.:

Suspend the 40-hour week, time-and-half overtime, and double time for holidays, and politics for the duration. Stop these strikes and quit appeasing these labor racketeers. Give our boys ammunitions and guns instead of alibis.

S. N. JACKSON.

BAY CITY, TEX., March 19, 1942.

Senator W. LEE O'DANIEL,
Washington, D. C.:

We urge your support for the enactment of legislation suspending the 40-hour week and time and one-half over time for the duration of this war. We feel this is urgent if we would successfully wage this war to early victory.

V. L. Letulle, J. C. Lewis, E. L. McDonald, H. G. Gilmore, M. O. Savage, W. E. Davant.

EAGLE PASS, TEX., March 19, 1942.

HON. SENATOR W. LEE O'DANIEL,
Washington, D. C.:

We, the undersigned, as members of the Eagle Pass, Tex., Lions Club, being true

loyal Americans who want to win this war in double-quick time, demand you exert all your efforts toward abolishing strikes, the 40-hour week, time and a half and double time for the duration and institute immediately action on the 24-hour day, 7 days a week.

J. A. Houston, Mike Chorgas, Max Grossenbacher, Ward Wueste, O. D. Montgomery, Jerry Denike, T. R. Hunter, Ben Spiegel, C. Maurer, F. N. Pegues, C. W. Gunnarson, Clyde Miller, Bob Gardner, Albert Rodriguez, Enrique Rodriguez, C. M. Benavides, W. E. Pingnot, Herbert Moore, Raul Montemayor, A. V. Bennett, Joe Vollmer.

WACO, TEX., March 19, 1942.

Hon. W. LEE O'DANIEL,
United States Senator,

Washington, D. C.:

Waco A. & M. Club tonight unanimously resolved to call upon our representatives in Washington to take immediate positive action stopping strikes and other delays in war effort and suspend 40-hour week during war. We appeal to you in name of our 6,000 Aggies now in service and thousands more entering armed forces. We want action and no more fooling in Washington.

WACO A. & M. CLUB.

HOUSTON, TEX., March 19, 1942.

Senator LEE O'DANIEL,
Washington, D. C.:

The best-thinking people here thoroughly aroused over delay in producing equipment for our boys and demand legislation to eliminate causes of the delay of the boys holding line with MacArthur 24 hours daily receive no overtime except Jap bullets. We are wondering what would happen if they refused to work more than 40 hours week for their \$5 weekly. We urge immediate repeal of 40-hour week and to outlaw strikes.

KIWANIS CLUB OF EASTERN HOUSTON.

GARLAND, TEX., March 19, 1942.

Hon. W. LEE O'DANIEL,
Senate Chamber.

DEAR MR. O'DANIEL: Truly, we are a group as one crying in the wilderness, wilderness of dismay, inaction, quibbling, partianship, and lack of courage on the part of the ones in authority. In the name of all decency, our interest, our boys, and all those virtues we hold so dear, please use all your influence to remove all bottlenecks of strikes, walk-outs, the 40-hour-week labor law, and everything else that is aiding the enemy.

THE GARLAND PARENT-
TEACHERS' ASSOCIATION,
MRS. FLETCHER WHITE, President.

TYLER, TEX., March 17, 1942.

Hon. W. LEE O'DANIEL,
Washington, D. C.:

Please keep head. Labor, organized or unorganized will have to win this war, furnish the arm forces, and likely have to pay for it.

JOHNSON SMITH.

TYLER, TEX., March 18, 1942.

Hon. W. LEE O'DANIEL,
Washington, D. C.:

Action and favor to amendments for measure of meeting will concur with feelings of citizens.

J. H. JAMES.

HOUSTON, TEX., March 18, 1942.

Hon. W. LEE O'DANIEL,
United States Senate:

Our newspapers today carry the President belief the people do not understand the time-and-one-half provision for more than 40 hours work per week. You have been very

right on this subject in all your public utterances in Texas and in Washington. Continue along the same line. Please insist upon the rights for every American to work without payment of legalized blackmail for permission to work. Let those who hold the jobs strike if they will; the Army can use them.

W. E. PARRY.

TYLER, TEX., March 18, 1942.

Senator W. LEE O'DANIEL:

My son in Army not subject to 40-hour week and overtime pay. Will he be provided with sufficient arms and equipment produced under present set-up in time to defend your home and job?

S. H. CREWS,

Former member American Expeditionary Force.

WEATHERFORD, TEX., March 18, 1942.

W. LEE O'DANIEL,
United States Senate:

We know that you will support the Connally bill being submitted today. Texas is in arms against the labor situation as it is today.

J. H. DOSS, President M. and F. Bank.

WEATHERFORD, TEX., March 18, 1942.

W. LEE O'DANIEL,
United States Senate:

We know that you will support the Connally bill being submitted today. Texas is in arms against the labor situation as it is today.

E. A. FRANTZ.

WEATHERFORD, TEX., March 18, 1942.

W. LEE O'DANIEL,
United States Senate:

We would like that you support the Connally bill of today to do away with 40 hours a week in our defense plants.

GEO. FANT,

President, First National Bank.

SAN ANTONIO, TEX., March 18, 1942.

Hon. W. LEE O'DANIEL,
Washington, D. C.:

As a vital interest to the Nation, thousands of south Texans join the following undersigned in urgently insisting upon your support to any legislative measure prohibiting any and all labor strikes for the duration of the war and repeal of the 40-hour workweek.

George W. Saunders, Livestock Commission Co.; J. W. Kothmann & Sons, Texas Livestock Marketing Association; Cassidy Commission Co.; San Antonio Livestock Commission Co.; Union Livestock Commission Co.; National Livestock Commission Co.; A. C. Oefinger Livestock Commission Co.; Alamo Livestock Commission Co., Inc.; C. P. Traugott & Son; John Clay & Co.; Producers Livestock Commission Co.; Walter Graves; Russell, Center & Jennings.

DALLAS, TEX., March 18, 1942.

Senator W. LEE O'DANIEL,
Washington, D. C.:

As long as the majority of our population are required and are giving up various things and making sacrifices for the duration, why can't this foolish 40-hour week be discarded for the duration? We need less bull and more bullets.

JACK U. PERKINS.

HOUSTON, TEX., March 17, 1942.

Senator W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Please do everything you can to repeal the wage-hour law in this emergency. It is defini-

nitely slowing up defense production. The labor-union fees are entirely too high and time and half and double time is entirely out of line in an emergency like this. Therefore the manufacturers and industries are helpless unless the labor is controlled more efficiently. The strikes or the fifth-column strikers will stop us.

L. M. YORK,

President, York Oilfield Supply Co.

PAMPA, TEX., March 16, 1942.

Hon. W. LEE O'DANIEL,
United States Senator:

Do you think Congress is doing their part in this emergency by letting labor laws and strikes go on as they are? This is an all-out war; let's go all out to win it. This part of the country wants our Government to take necessary steps to curb 40-hour law and the favored few.

CARL BENEFIELD.

DALLAS, TEX., March 17, 1942.

Senator W. LEE O'DANIEL,
Senate Building, Washington, D. C.:

Please support House bill removing maximum labor hours and vote for price ceiling on farm produce and labor. Congressional inaction endangers this country. Kind regards.

Mrs. WILLIAM BURROW.

DALLAS, TEX., March 17, 1942.

Hon. W. LEE O'DANIEL,
United States Senator from Texas,
Washington, D. C.:

Feel you should know the people of the Southwest are red hot over the labor and industry strikes and 40-hour-week situation on defense contracts. Hope you, as a loyal Texan, will do everything in your power to pass legislation stopping this deplorable condition and save country from revolution.

CEDRIC BURGER.

DALLAS, TEX., March 17, 1942.

LEE O'DANIEL,
United States Senate:

Being an employer of over 100 men, I urge immediate stopping of strikes, cancellation of 40-hour-week law, and all unnecessary legislation. Employees join me in this request.

A. D. MARTIN.

MOUNT PLEASANT, TEX., March 18, 1942.

Hon. W. LEE O'DANIEL,
United States Senate:

The Rotary Club of Mount Pleasant, Tex., today approved and hereby endorses the resolution passed by the American Legion of Mount Pleasant Monday night, March 16, in regard to proposed legislation regulating labor and industry so that our production of war materials will not be impeded. Your support of this measure will be appreciated.

MOUNT PLEASANT ROTARY CLUB,
BEN PATRICK, Secretary.

SONORA, TEX., March 17, 1942.

W. LEE O'DANIEL,
Washington, D. C.:

One hundred and ten Sonora Lions demand necessary legislation immediately to set production on war basis unhampered by capital or labor disputes. Suggest suspension of all labor-union contracts and activities and the 40-hour week and set ceiling on profits by war industries for the duration. We have a war to win. This is no time to tolerate differences between capital and labor. The house is burning.

SONORA LIONS CLUB,
JOHN L. NISBET, Chairman,
H. V. BUZZIE,
STOKES NOBLE,
W. PRENTICE, Committee.

EL PASO, TEX., March 18, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

In order to save my brother Jack, who is in the Philippines to save democracy and civilization, I plead with you for legislation to require defense production 24 hours a day, 7 days a week, for the duration.

JIM KASTER.

WEATHERFORD, TEX., March 18, 1942.
Hon. W. LEE O'DANIEL,

Senator, Congress of the United States:

In a "work or fight" resolution passed by the chamber of commerce directory board today, we wish to submit to Your Honor the following: "Resolved, That we, the board of directors of the Chamber of Commerce of Weatherford, Tex., wish to protest against the 40-hour workweek in defense production and support in its entirety the Connally bill being presented today. We feel that it is not fair to our boys that are in the draft and the front lines at small recompense for labor to continue to demand higher wages and shorter hours. Therefore, we favor the suspension of the 40-hour week and favor going to 24 hours a day without time and a half or double pay for overtime. We desire that every man in industry be as loyal to his Government as the boys are that are in the armed forces."

Respectfully submitted.

BOARD OF DIRECTORS.

JOE B. WITHERSPOON, President,
J. M. DAVIDSON, Manager.

DALLAS, TEX., March 18, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

The undersigned Texans from Dallas, Tyler, Houston, and Corpus Christi heartily endorse and congratulate you on the stand you are making for real Americanism and efficiency in government. However, we do not favor prohibition.

CHESTER WYNNE.
WALLACE MORGAN.
ARNOLD MORGAN.
C. O. DAVIS.

AUSTIN, TEX., March 18, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

An article in this morning's Dallas News by John King states that a recess of 2 weeks is being urged upon Congress in order to give the Members time to cool off and give administrative forces time to consolidate and lay plans to cope with the problems now developing in Congress. We all need a recess to lay plans to cope with the problems now developing. MacArthur needs a rest period. Why not introduce a resolution in Congress granting MacArthur and Wainwright and the boys in the Philippines a 2 weeks' rest period? If we lay off over here 2 weeks in order to cool off many of our boys on foreign soils will be laid to rest and cool off. Stay in there and pitch.

PAUL C. WHITLEY.

TYLER, TEX., March 18, 1942.
Senator W. LEE O'DANIEL,
Washington, D. C.:

Labor as it is operated today is a blot on American history and the ruination of our war effort. Texas voters demand action to suspend 40-hour workweek and racketeering by labor or capital in defense industries. What is your stand in this respect?

J. L. McDANIEL.

FORT WORTH, TEX., March 18, 1942.
Hon. W. LEE O'DANIEL,
United States Senate:

Urge your support of antistrike bill and abolishing 40-hour week. My opinion 90 percent workmen willing to work 7 days week on straight time. We're getting fed

up on labor racketeers running things in Washington.

A. J. ROWE.

COMMERCE, TEX., March 18, 1942.
W. LEE O'DANIEL,

Member of Congress, Washington, D. C.:

Commerce Lions Club strongly urges immediate action toward removal all hindrances to all-out production.

J. G. SMITH, Secretary.

NEW BRAUNFELS, TEX., March 18, 1942.
Hon. W. LEE O'DANIEL:

Please support and vote for legislation to end 40-hour week, closed shop, and strikes.

H. C. McKENNA.

HOUSTON, TEX., March 18, 1942.
Hon. W. LEE O'DANIEL:

Amazingly the public prints today carry the President's belief that the people do not understand the 40-hour wage-and-hour law providing overtime of time and one-half. You have been on the right track on this subject. Continue the good work, only make it louder. We see no reason for labor to give up the right to strike. Let them strike, but be subject to draft, and let us provide that any American who wants to work in a defense plant may do so without paying blackmail to a labor organization. Many a trained man lacks the money.

JAMES AND MARGARET ANDERSON.

DALLAS, TEX., March 18, 1942.
Hon. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

The Allied Nations have been too late with too little often enough to make us apprehensive of and opposed to the practice and operation of politics as usual during this war emergency. We respectfully urge you to immediately and aggressively take such action as may be necessary to get Congress to place our war production industry on a 168-hour-week schedule, to prevent management and labor quarrels from stopping production, and to eliminate the 40-hour workweek for the duration of the emergency. We further urge Congress to set the example and show the way to victory by furnishing the intelligent, aggressive, and unselfish leadership for which the American people are praying.

W. B. Oldham, president, Oldham & Sumner Lumber Co.; Cole Foster, district manager, United States Gypsum Co.; W. H. Kuhn, Payne & Kuhn Plumbing Co.; Fred Bennett, general manager, Blue Diamond Co.; C. L. McClure, McClure Electric Co.; Willis L. Lea, Willis L. Lea & Co.; Tom E. Smith, M. D.; K. K. Meisenbach, president, American Transfer & Storage Co.; C. P. McLeroy, manager, Firestone Skinnle and Jimmie; Laurin Marlow, vice president, E. G. Marlow Co.; J. J. Gibson, J. J. Gibson Co.; Leonard Nichols, manager, Truck Leasing & Rental Co.; W. W. Valloft, manager, Dallas Linen Service Co.; Arno Flack, vice president, Manor Baking Co.; George Young, president, Restland Memorial Park; Frank A. Seelman, M. D.; E. H. Linstead, Frye, Gregory & Linstead; W. C. Alexander, sales manager, Tennessee Dairies, Inc.; James S. Hudson, Hudson & Hudson; Ricks Strong, general agent, John Hancock Mutual Life; J. B. McMath, manager, Textile, Inc.; Leonard Nichols, manager, Yellow Cap Corporation; Clyde Swallow, Doc Jackson Garage; Dallas C. Biggers, Biggers, Baker & Lloyd; Bruton Orand, Orand Buick Co.; Arthur Hopkins, manager, Clarke &

Courts; W. Gordon Maddox, M. D.; Dudley B. Kennedy, sales manager, Southwestern Paper Co.; B. F. McLain, manager, Hart Furniture Co.; C. B. Grant, Anchor Awning Co.; Grayson Gill; Claude Karr, manager, Karr Employment Service; John M. Pace, M. D.; K. Bertucci, vice president, Zenith Cleaning & Dyeing Co.; Don E. Stewart, manager, Stoneleigh Hotel; J. D. Singleton, M. D.; B. O. Twaddell, Dupont Co.; J. M. Ellis; R. E. Lee, manager, Melsenbach Distributing Co.; T. A. Blakeley, president, Mortgage Corporation of Texas; Neal Ferguson, Ferguson Advertising Agency; J. Hugh Campbell; Fred Farrow; George Weiland, president, Weiland Undertaking Co.; Earl L. Loftis, M. D.; T. H. Rutherford, Rutherford Business School; B. B. Brown, West Park Pharmacy; T. P. Vickery, department manager, Peaslee-Gaulbert Corporation; Henry English, Red Ball Motor Freight; W. A. Simpkins; C. D. Cox, manager, West Disinfecting Co.; Cedric Burgher, president, Cedric Burgher Construction Co.; John E. Ashby, M. D.; John L. Burke, agent, Travelers Insurance Co.; J. K. Wilson, J. K. Wilson Co.; H. P. Horsley, president, Weston Hardware Co.; J. Frank Parker, Parker-Griffith; Vinny A. Smith, D. D. S.; Paul Fischer, manager, Goodie Goodie Restaurant; Dr. L. E. Casey, Blue Cross Veterinary Hospital; John A. Williams, president, John A. Williams Printing Co.; Charles Boyette, Cloud Boyette Letter Service; E. J. Brandt, general manager, Lawyers Title of Texas; R. Q. Mills, Cannon Ball Chair Rental Co.; Myron Everts, treasurer, Arthur A. Everts Co.; J. G. Yarbrough, district manager, Gulf Oil Corporation; D. E. Remaley, sales agent, National Cash Register Co.; C. M. Johnson, president, Johnson Bros. Chevrolet Co.; C. F. Underriner.

HONEY GROVE, TEX., March 18, 1942.
Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

We are giving our unqualified support in your efforts to lead our Nation to victory. Without attempting to place responsibility on any person or group, we urge immediate abolition of the 40-hour week, stopping all labor hindrances, and placing production on 100-percent basis for victory. Disregard the votes and pocketbooks of either capital or labor and give us action, please. Work or fight.

CHAMBER OF COMMERCE,
LIONS' CLUB.

MOUNT PLEASANT, TEX., March 18, 1942.
Hon. W. LEE O'DANIEL:

The Mount Pleasant Dads' Club, consisting of 300 members, heartily endorse the resolution forwarded you by local American Legion Post with respect to expediting the victory program and solicit your support for any laws introduced that will hasten the defeat of our enemies.

MOUNT PLEASANT DADS' CLUB,
E. M. LIDE, President.
T. C. WALKER, Secretary.

KERRVILLE, TEX., March 18, 1942.
Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

We respectfully request your support of any legislation pending or to be submitted in

Congress looking toward the elimination of strikes in industry, and repeal, for the period of the emergency, of any legislation limiting hours or requiring extra pay for overtime in any defense industries.

KERRVILLE CHAMBER OF COMMERCE.

SAN ANTONIO, TEX., March 18, 1942.
Hon. Senator W. LEE O'DANIEL,

Washington, D. C.:

We, our associates, and many employees solicit your support in endorsing all-out aid to Donald Nelson war-production program. Likewise we conscientiously recommend suspension of the 40-hour week, also overtime under 48 hours for the duration at least. Your cooperation will be appreciated.

ED FRIEDRICH, INC.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6005) to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SUMNERS of Texas, Mr. McLAUGHLIN, and Mr. HANCOCK were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 6758) to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones, in which it requested the concurrence of the Senate.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. BARKLEY. Mr. President, I wish to inquire at this time whether there is any prospect of reaching a possible understanding as to when the Langer case may be disposed of. At the rate at which we are now proceeding, India will have been given dominion or some other status, China will have run Japan back into her islands, and Stalin will have invaded Germany, before we dispose of the Langer case.

I do not say this in criticism of the length of any Senator's speech, and we have had only one and a half speeches so far. I do not suppose any other Senator will take as much time, or would be required to take as much time, as has been consumed by the two Senators who have spoken, and I do not see how, under all the circumstances, they could have been briefer; but we have now devoted nearly 2 weeks to the Langer case, and I had hoped we might vote this week, but that hope has been abandoned. I am now hoping that we may dispose of it next week. I wonder if there is some way by which we can ascertain who else, after the Senator from Utah shall have concluded, intends to address the Senate on the subject so that we may begin to

calculate in some definite way as to when we may be able to secure a vote in the case. Does the Senator from Oregon or the Senator from Utah have any definite information?

Mr. MURDOCK. Of course, I cannot speak for anyone else, but so far as I myself am concerned, knowing how difficult it is to maintain a quorum in the Senate, I am perfectly willing at this time to forego the remainder of my remarks and have a vote taken on the question right now. I am rather inclined to the belief that Senators have already made up their minds on the issue, and are ready to vote. If I could expedite the vote by yielding the floor now, I should be perfectly willing to do so.

Mr. BARKLEY. I want the Senator to understand that I had no purpose in any way to curtail his remarks.

Mr. MURDOCK. I know that.

Mr. BARKLEY. I do not think it is necessary for the Senator to do what he has suggested, but I had been told informally that probably there would be only a few other speeches. Then I was told informally yesterday that there might be a dozen more speeches, and I should like, if we can, to take a survey of the situation so that we may see when we may ultimately reach a conclusion of the matter.

Mr. MURDOCK. I shall this afternoon discuss one further point in the case, that is, the bond issue. I am hopeful that if I am not interrupted too often I can conclude in not to exceed 2 hours; but I am willing to forego my argument and vote now, if that can be done.

Mr. BARKLEY. I desired to make these observations while the Senator was here, so that he might cooperate in bringing the matter to a conclusion.

Mr. McNARY and Mr. CLARK of Missouri addressed the Chair.

The VICE PRESIDENT. Does the Senator from Kentucky yield?

Mr. BARKLEY. I shall yield in a moment. I think it is desirable that the Senate give no more time to this case than is necessary, in view of other matters which are coming along.

I yield now to the Senator from Oregon, since I have referred to him. Then I shall yield to the Senator from Missouri.

Mr. McNARY. Mr. President, the pattern set by those contesting the seat of the Senator from North Dakota has not been such as to inspire us to great expedition. The remarks of the Senator from Kentucky might well have been made last week. I am not criticizing anyone for making an extended speech, but it will be recalled that the Senator from Illinois [Mr. Lucas] very ably discussed the question before us for one solid week. The able Senator from Utah [Mr. Murdoch], another member of the committee, speaking in favor of permitting the Senator from North Dakota to retain his seat, has occupied 2 days, which, by comparison with the time taken by the Senator from Illinois, is a brief period.

I recall that Monday the Senator from Utah spoke a full day, but on Tuesday he was interrupted by other speeches, and by legitimate legislation having to do with the maximum debt the country

could assume. Yesterday was the second day, really, taken by the Senator from Utah, as compared with 5 days, the whole of last week, occupied by the able Senator from Illinois.

I make this statement, not to suggest any invidious comparison, but only to show that perhaps we should have started with this move for expedition last week. I am not criticizing the leader; I agree with him that we should take as little time as possible, with a view to a full presentation of the case. I know there are several Senators who wish to speak briefly. I think the able Senator from Kentucky desires to make a few remarks. I wish to occupy a brief period, probably 30 minutes, not to exceed 45, in stating my views of the Constitution and of the rule we should follow in arriving at a correct decision in the case.

I think the able senior Senator from Vermont [Mr. AUSTIN], who collaborated with the Senator from Illinois in the preparation of the majority report, desires to speak at length. I do not know of any other speeches to be made. I wish to cooperate with the able Democratic leader in bringing the case to a vote as quickly as possible, and I assume that can be done early next week.

Mr. BARKLEY. I thank the Senator for his suggestion. It may, of course, be true that it would have been better, from his standpoint, at least, for me to have made my remarks and observations some time last week, in the middle of the speech of the Senator from Illinois. I am sure I can speak for the Senator from Illinois when I say that he took up much more time than he originally intended to take, and that was because of his generosity in yielding. The Senator from Utah, I am sure, has done the same. I know he has spoken longer than he intended to, due to his liberality in yielding to other Senators and for the transaction of other business. Nevertheless, that does not change the situation. At the rate at which we have been proceeding, we would be considering the Langer case an indefinite length of time, and I am sure no Senator on either side of the question favors that, and I hope we can arrange as soon as possible to bring the discussion to a conclusion.

It may be true, as the Senator from Utah has said, that every Senator has made up his mind as to how he is going to vote. I am not sure about that. If the Senator were sure of it and we were all sure of it, it would be futile to talk about the case any longer; but I am not ready to say that is true.

I now yield to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, I assure the Senator from Kentucky that I am in entire sympathy with the objective for which he is striving. I should merely like to make a suggestion to him about any arrangement that is made, if it is possible to get an arrangement, which I think might expedite a decision in the case; and as to that, of course, I do not know.

Day before yesterday, while technically the Senator from Utah held the floor, he was not permitted to address a single word to the Senate about the pending

business. Lengthy debate took place, consisting of very weighty discussions, very able discussions, very interesting discussions, on important issues having nothing whatever to do with the Langer case. It seems to me the matter can be very much expedited by having a general agreement to refrain from discussing other issues than the issue now before the Senate until it shall have been disposed of.

Mr. BARKLEY. I think the point made by the Senator from Missouri is correct. Of course, the Senator from Georgia brought up the debt-limit bill, consideration of which everyone, including the Senator from Georgia himself, thought would be concluded in a few minutes, but the Senate became diverted by another matter which had nothing whatever to do either with the debt-limit bill or the Senator Langer case, and we spent the whole day on it. I bring this matter to the attention of the Senate in the hope that we may not do such a thing again.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. McKELLAR. In view of the very generous statement made by the distinguished Senator from Utah, I wonder if other Senators would not be as generous, and, in order to find out if that is so, I ask unanimous consent that the Senate proceed now to vote on the Langer case.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee?

Mr. TUNNELL. I object.

The VICE PRESIDENT. Objection is heard.

Mr. MURDOCK. Mr. President, coming back to the business before the Senate, which is the question of the expulsion of the Senator from North Dakota [Mr. LANGER], I wish to say that when I closed last evening I was discussing the charge with reference to the Mexican land transaction. I had discussed and I inserted in the RECORD a number of figures from the records with reference to the reduction by the State Board of Equalization of North Dakota of the tax valuation of the Great Northern Railroad Co. I think any Senator who will take the time even casually to look at the figures, submitted in the RECORD by me yesterday on that question, must conclude that the State Board of Equalization of North Dakota, if it had done anything other than reduce the tax valuation of the Great Northern Railroad in North Dakota, would have done the wrong thing, and would have denied justice to the railroad company. The figures which I put in the RECORD from one of the exhibits introduced before the committee were prepared by the railroad company. I have checked some of the figures with the Interstate Commerce Commission; and, of course, any other Senator can check them with the Interstate Commerce Commission if he so desires. I wish now to read from the figures submitted to me by the Interstate Commerce Commission on this question.

In 1937 the operating revenues of the Great Northern Railroad were \$94,942,292. In 1938 they dropped to \$79,215,531.

In 1937 the net railway operating income, after deducting taxes and rentals, was \$23,769,408. In 1938 it had dropped to \$14,479,276. In 1937, the net income of the Great Northern Railroad, after fixed charges for its entire operation, as I understand, was \$10,089,920. In 1938, it dropped to \$2,712,560, or a drop of nearly \$8,000,000 in 1938 as compared with 1937.

Will any Senator on either side of this case say that the State Board of Equalization of North Dakota could have done anything other than reduce the valuation of that railroad for the year 1938? We find a reduction in every State through which it ran, with the exception of two States, Oregon and Minnesota. As I understand the situation in Minnesota, the basis for taxation is very different from what it is in any of the other States.

The majority report gives great weight to the attitude of Mr. Gray, who was a member of the State equalization board with Senator LANGER, because in 1938 he wanted to raise the valuation by \$4,000,000. Senator LANGER and the majority of the board voted to reduce it. Bear in mind that, notwithstanding the reduction in 1938, the Great Northern paid more taxes in that year than it paid in either of the years of the preceding biennium. Notwithstanding the reduction in 1938, in the biennium of LANGER, the Great Northern Railroad paid \$136,000 more taxes than it had paid in the preceding biennium. How can anyone who is interested in figures and facts rather than in suspicion and accusation come to any other conclusion than that the action of the board was correct and that Mr. Gray was in error in asking for such an increase?

Bear in mind further that, notwithstanding the fact that Mr. Gray is today the State tax commissioner, he is still a member of the State board of equalization. The auditor who voted with him for an increase in 1938 is still a member of the board; and the Governor of the State, who ran in a campaign denouncing Senator LANGER, is the third member of the board. They constitute a majority of the board. I make that statement in answer to a question which was propounded to me yesterday by the Senator from Illinois [Mr. LUCAS]. Notwithstanding the fact that on the board there are three members of the opposition to Senator LANGER, as against two who might be considered friendly to him, and notwithstanding the increase in railroad business in 1939, 1940, and 1941, up to this time the board has not seen fit to raise the valuation of the Great Northern Railroad up to the point Gray suggested in 1938.

We now come to the question of the Mexican land transaction. What is the issue involved? It is the value, if any, of the stock which was transferred to Tommy Sullivan by Governor LANGER for the consideration of \$25,000.

Who is the best judge as to whether the stock had value in the mind of Tommy Sullivan? Men go to race tracks and bet on races. We in the Senate may consider them fools to do so, but such betting goes on day after day, week after week, and month after month; and in

the course of a year millions of dollars go through the pari-mutuel machines at the race tracks. Day after day on the stock exchanges in New York and throughout the country we find men gambling. We find men taking a chance by buying stocks. Day after day on the commodity exchanges in Chicago we find men taking chances in order to make money.

I do not know the psychology of Tommy Sullivan. I do know, from the Senator from Illinois, that he is an intelligent lawyer. I also know that at the time this concern was organized Tommy Sullivan's wife was the secretary of William Lemke, a former Representative. I further know that Tommy Sullivan said in his statement before the investigators that his wife knew more about that stock and about the operations of the company than did any other person in it. Those are facts which are undisputed. I know, too, that for years Tommy Sullivan has been one of the spearheads in the Nonpartisan League in North Dakota and in a similar movement in Minnesota. I know that he has run for office in Minnesota, on the same platform on which Senator LANGER ran in North Dakota, and under the same program. According to the record, Tommy Sullivan has contributed thousands of dollars, not only to the movement in Minnesota, where he lived, but also to the movement in North Dakota.

I have before me his statement made before the investigators of the committee. Any Senator may examine it if he wishes to do so. In his statement he tells about his intense interest in this movement in the Northwest and about his friendship for Langer, Lemke, and Frazier. He states that he would not contribute to the Langer campaign in 1940. Why? Because his friends, Bill Lemke and Senator Frazier, were interested, and he could not make a choice between them.

We now come down to a discussion of the value of the stock in the mind of Tommy Sullivan. What did he say? If there had been any question in this case about the testimony of Tommy Sullivan before the investigators, why did not the committee call Tommy Sullivan before it and cross-examine him to see whether he was talking in good faith when he made his statement before the investigators? I read from his own testimony, found on page 159 of the record of testimony taken before the investigators:

I have never been identified with them in any political contributions anywhere. If they gave them, it is entirely without my knowledge. I didn't know that.

He was referring to his clients.

I have made, ever since I have started, which is a long time ago, and I am still not a very old man.

There has never been a convention that I remember that I haven't contributed money to the convention in Minnesota, North Dakota, Illinois, sometimes even in Wisconsin; and I have in every campaign I have participated as a campaigner, and in the last campaign for the Democratic National Committee I was out for Mr. Flech in the last campaign, although I had always been a Republican under the Farm-Laborites. In the last campaign I was under the National Democratic

Committee in that campaign, and I took no expenses, paid all my own expenses, paid for my own radio time.

So we are dealing with a man who is interested in the politics of the section in which he lives and in economic problems. We must bear that fact in mind in coming to a conclusion with reference to the accusation of bribery.

Tommy Sullivan went on to state his interest in labor unions and things of that kind during a certain period. I do not want to bore the Senate by reading too much, but this is evidence which we should have in mind before we can intelligently and justly come to a conclusion in this matter.

The following refers to his contributions:

Question. It was your money; it was your personal money and not money of any client?

Answer. My own personal money. Any contributions I ever make to any political party and the times that I have run myself—and I ran for attorney general in Illinois and carried Chicago here in 39 of the 50 wards—and I never solicited a contribution even from (for) myself, and I spent a lot of money trying to win, but didn't win.

Mr. HOOD. How much was your contribution, Mr. Sullivan?

Answer. I think the first one was \$3,500 and the second \$1,500.

Question. A total of \$5,000?

This man was not niggardly in disposing of his money for the things he believed in.

Answer. Yes; I think that is true. One thirty-five, and I believe the second one—that was for getting out the paper—\$1,500.

But that is not my first contribution I made in North Dakota. I made more than that to other conventions and also, in the meantime, the organization of Senator NYE and Senator FRAZIER's organization I contributed to those during all the years.

I wonder if any Senator will rise and say that there was anything wrong about that. I think not.

Question. How much?

Answer. At least 10 years.

Question. Could you enumerate any other specific contributions that you have made? I mean as to the amounts.

Sullivan's answer was:

I would be drawing a lot on memory, but I paid every time there was a call, whether it was \$2,000, \$2,500, or \$1,500. I don't think there was any at any time as much as \$5,000 in any one time. I don't—yes, there is one, I think, \$3,500 one time. There wasn't a campaign on, even.

It was Senator NYE; he was trying to maintain his organization, to build it up; had great faith in them and trying to keep the organization intact, wanted to get out, I don't know, some vouchers and some papers, and anyway, he wanted to keep his organization, hold meetings and things of that kind, and there wasn't even a campaign between campaigns, but it was a fight trying to keep the organization together.

He was interested in that, and certainly no one will say there was anything wrong about it.

I contributed, I think at the time I recall, somewhere around \$4,000.

I have always contributed in Minnesota and every campaign I have always paid my own expenses, even over the radio.

Then we come to another phase of this evidence:

Question. Do you know Mr. W. P. Ronan? Answer. Uh, huh, I do. He is a grain man here in Chicago.

Question. When did you first meet Mr. Ronan?

Answer. Somewhere around 1939, I should say. Nineteen hundred and forty. It isn't long.

Question. Well, do you remember the occasion on which you met him? I mean the circumstances under which you met him?

Answer. Yes; he was sent to me. A fellow called me up by the name of Frank Lyman, who is the clerk of the probate court here in Chicago. He called me and told me he had a friend named Ronan who formerly had the grain business or flour business for the North Dakota mill and he wanted to talk to me to see if I could help him get that business back.

So we see Ronan going to Sullivan to see if he could get back that business in North Dakota.

Question. That was along in 1938 or 1939?

Answer. I believe it was 1939, but I may be wrong.

Question. You think it might have been 1938?

Answer. It might have been 1938.

Question. Well, did you talk to Mr. Ronan about trying to help him in getting this contract back?

Answer. Yes.

Question. Did you make any effort to help him?

Answer. I did. I talked to Governor LANGER, it was 1938 because LANGER was still Governor. That is right.

I talked to Governor LANGER. He said no, nothing doing on Ronan. That Ronan had cheated the Mill and Elevator when he was in and that he had stopped checks after he was elected. They hadn't cleared when he took office. He stopped checks. Nothing doing on Ronan. That was that.

If at that time Senator LANGER was receiving bribes from Tommy Sullivan, I wonder if he would have been in a position to say, "No; nothing doing on this fellow."

Question. Are you at present the owner of any Mexican land stock?

Sullivan's answer was:

Answer. Well, as far as Mexican land. It is the Land Finance Co., it is a North Dakota company, but they own Mexican lands.

Question. How many shares of stock do you own?

Answer. \$25,000 worth.

Question. When did you acquire that stock?

Answer. Oh, well, it may be either the latter part of 1937 or the early part of 1938. I think it was the latter part of 1937. Maybe somewhere after the middle of the year 1937.

Question. From whom did you purchase your stock?

Answer. From Senator LANGER.

Question. And how much did you pay for it?

Answer. \$25,000. May I interpose?

Question. Surely.

I want the Senators here, if they will do so, to listen to this evidence of Tommy Sullivan with reference to the Mexican land:

Answer. That company was organized many years ago, long before I knew them but Congressman Lemke and Senator LANGER and a number of North Dakota men put in quite a lot of money into it.

My wife was secretary to Congressman Lemke, that is where I met her. She was secretary to Congressman Lemke when I was with the Non-Partisan League, when there was a board of three directors who ran the Nonpartisan League.

Congressman Lemke was one of them and she handled all the correspondence.

Listen to this:

I think she knew more about the Mexican land deal than any of them in the group aside from Lemke because during all those years she handled them.

I know all about them and Congressman Lemke had several times suggested to me making investments in that company and I never wanted to because of the uncertainty of it, but after the Mexican Government took over 80,000 acres of that land, what they call expropriation, and being somewhat familiar with the Roosevelt administration's attitude toward South American countries and to Mexico, I was completely sold on the idea that there would be an adjustment of this expropriated land, especially if you lined up with the oil companies on that side of the road.

Tommy Sullivan knew something about this land deal; did he not? He said his wife knew more about it than any other person in existence, except Bill Lemke. He said he was not very much interested in it until the Mexican Government took over some of the land. Then he saw—what? Oh, then he saw a chance that it might make some money, and at that time he was ready to talk business.

Continuing to read from his statement:

When Lemke was, or when Senator LANGER was in the office—not in this office, but in our office upstairs—one time, why, he was talking to me and he and Lemke had broken. They were very bitter opponents. I told Mr. Smith—

Referring to the other investigator, who is present—

I told Mr. Smith before you came in that that is one State where you can find out all the bad things about your opponents on either side.

When the loan act was over there, Lemke borrowed money from the State to build a house, just like the Federal Housing Administration is at the present time. It wasn't an elaborate home, I think \$9,500, as I recall it; just a modest middle-class home.

Now he is talking about politics in North Dakota, and about how the opposition treated Bill Lemke.

Continuing to read from Mr. Sullivan's statement:

During the State fair at Grand Forks they had a big bus traveling from the fair with a great big sign on it, "Free ride to Fargo to see the mansion that Bill Lemke had built with the taxpayer's money." And so you see you get the idea. Some of the fellows got together and raised the money to pay this off to take it out of the campaign but very few ever made the trip. It is a long way from Fargo to Grand Forks. Very few ever made the trip but the idea was to get it into the campaign.

It is a typical campaign up there.

Well, anyway, my wife knew all about this company and he—

Referring to LANGER—

was busily berating Lemke. I am very friendly to Lemke.

Says Sullivan:

That is one of the reasons that LANGER got no help from me in 1940. He ran against Frazier in the primary and I certainly wouldn't do anything to injure Frazier and I am glad to have this opportunity under oath to say I didn't give 1 penny or make

one speech in that campaign though I didn't do anything to injure Frazier who has been my friend for 25 years and always did anything he could do to support me when I would run—

Then he tells of his friendship for Frazier and Lemke. I continue reading from his statement:

Issue statements for me, allowed his picture to be used in the farm districts because he was one of the authors of the Frazier-Lemke bill. Lemke did the same thing when I ran here, allowed his picture to be used in the leading farm paper here and agreed to campaign for me and so I wouldn't, nobody could have induced me to do anything against Frazier and Lemke.

Mr. President, I ask unanimous consent that the remainder of the statement of Mr. Sullivan be printed in the RECORD. I do not want to take time to read all of it, but it presents the background of Sullivan and his connection with North Dakota politics.

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). Is there objection?

There being no objection, the remainder of the statement was ordered to be printed in the RECORD, as follows:

Then Langer and I were in a good-natured dispute and I told him that they ought to get together, they belonged on the same side and when Lemke, when he was attorney general, and Frazier was Governor, Lemke was attorney general and John Hagen was commissioner of agriculture and labor and that constituted the industrial commission in North Dakota who have control of the State mill and elevator, the State bank, and all of the institutions, and the opponent in those days was the I. V. A., the Independent Voters Alliance, and they were the fellows that were instigating the feud between them, they were fellows who were always natural opponents.

But, anyway, I started dickering with him and I said I will buy some of that stock. I will buy it. I made a deal with him and afterward—I was going to pay him over a period of 4 or 5 years and I thought the thing would be adjusted before that—and afterward he gave me a reduction, and I think it was \$1,000, or maybe \$750, to pay him, because he had some mortgages or something due that he wanted to pay, and I paid him. I still think it is a good deal, a dandy deal.

Mr. Hood, one of the investigators, asked—

Have you ever had a chance to buy—

Referring to the Mexican Land Co.—

Answer. No; nobody ever offered me any. I think I would buy some if I got a chance. But now, with these claims, all the negotiations have been with the Mexican Government; you know the claims are all on file and there are people who wouldn't sell them unless they were pushed for money, needed money. I even let go of some American Telephone & Telegraph stock when I needed money.

Mr. Hood. How long ago was it that this land was expropriated?

Answer. Well, it has been—was before that oil expropriation. It was before that. This is agricultural land. I have got the abstract—

Listen to this—

I have got the abstract and maps and leases, and all that kind of stuff.

Then he says:

It was before that.

Tommy Sullivan is ridiculed by some Senators because he made this deal, but those who ridicule him overlook his statement that he has "the abstract and maps and leases." Tommy Sullivan went into this Mexican land deal much more earnestly and intelligently than the majority report might indicate.

It was before that.

Question. About 1919?

Answer. Oh, it was later than that. It is later than that. I may be wrong. All the negotiations with the South American countries and because of the salability and because of the better relationship between the governments that these things are going to be filed.

Now listen to his statement:

I am gambling on it, but if it does, I will get many times what I invested because I got one-twelfth of that stock.

Question. Did you buy all Mr. Langer had?

Answer. I didn't. I only bought half.

Question. Did you ever contact Mr. Lemke, the president of this company?

Answer. Oh, yes. He is president of the company and he is trustee of the land and as trustee he is the one that has to file, file the land all in his name as trustee.

Question. Did you ever talk to him about the value of this stock?

Answer. Many times. He always told me it is very valuable and my wife thinks the same thing, so it is one investment I made with her approval.

That is Sullivan's evidence as to his purchase of that stock. He said:

I was gambling; I had talked to Lemke many times; he told me it was valuable, and it was one of the investments I had made with the approval of Mrs. Sullivan.

It will be recalled that Mrs. Sullivan was former secretary to Lemke, and the person, Sullivan says, who knew more about it than anybody in the world except Lemke.

Mr. WHITE. Mr. President, will the Senator yield there?

Mr. MURDOCK. I yield.

Mr. WHITE. I do not know whether it has been covered in what the Senator has said while I was absent for a moment, but his reference to Lemke called to my mind that in the proof of the claim submitted to the Government Lemke himself said that the value of this land was approximately \$940,000, as I recall.

Mr. MURDOCK. Yes; under oath Mr. Lemke, as trustee, filed a claim for the company with the Mexican Claims Commission, or whatever the agency is that handled the matter, for \$900,000, not for all the land but for 80,000 acres which were taken. There are still 400,000 acres of land held by this company in Mexico.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. ELLENDER. In addition to the claim for the value of the 80,000 acres to which the Senator has just referred, there is also an item pending for \$302,000 for movables on the land, and that claim is now being considered by the Claims Commission. So that makes a total of over a million dollars, which would give value to that stock, as I recall, of 3 to 1 if the claim should be paid in full.

Mr. MURDOCK. Then the question was asked:

Question. Has the claim ever been acted upon?

Answer. So far as I know, it is all in negotiation between the State Department and the Mexican Government.

I took it largely on the fact of the fellows that were in it, but I lost a great many thousands of dollars in Florida. I bought land down in Alabama that has coal and iron on it. After a lawsuit, I found the fellow I bought it from—paid him for—didn't even have title to it. I paid over \$20,000 for it. I took it on faith and I lost.

The Senator from Illinois the other day asked us, "Do you think that Tommy Sullivan, a smart, intelligent lawyer, is buying that land under those conditions?" We find Mr. Sullivan's testimony here to the effect that he bought land in Florida and lost on it; that he bought land in Alabama, without even investigating what the title was, and lost \$20,000 on that. So we find him to be a man who does such things, although the Senator from Illinois—and, I think, other members of the committee—rather ridicule the idea that he might engage in that kind of business.

I may digress here for a moment to tell the Senate a little story about something that happened in my own State. I shall not mention the names publicly, but I will give the names privately to any Senator who may desire them, and I will prove exactly what I now state.

One of the rich mine operators in Utah went down into a South American country and bought a gigantic acreage of land there. He had plenty of money. When he died that land was listed in his estate at \$1. He had a very enterprising grandson who went to South America and looked over this vast acreage of land. When he returned he contacted one of the prominent millionaires of this country and sold him the idea that that land, which was listed as worthless in the estate of his grandfather, had immense potential value. The millionaire put his money into it, and today the enterprising grandson has his own airplane flying over the acreage in South America; he is operating the property, and it is worth not a million dollars but many million dollars. It turned out to be the best asset in the estate of his grandfather.

Perhaps Tommy Sullivan might be the same kind of person as the grandson in this instance who saw value when other people saw none—who saw a chance to make money when very circumspect and careful United States Senators ridiculed the idea that things such as that are ever done. Yet Tommy Sullivan tells about two former instances of his losing money in similar transactions.

Mr. STEWART. Mr. President, will the Senator permit me to ask him a question?

Mr. MURDOCK. I yield.

Mr. STEWART. Does the Senator recall what the record shows with respect to the date of the claim filed under affidavit or supported by affidavit by Mr. Lemke? Was it filed prior to the affidavit made to the investigators in this case? I do not know. What does the record show with respect to when the

affidavit made by Mr. Lemke supporting the claim against the Mexican Government was made?

Mr. MURDOCK. I am not sure that I know.

Mr. STEWART. Was it made prior to the affidavit he made to the investigators, concerning Senator LANGER in this investigation?

Mr. LANGER. It was filed June 15, 1939.

Mr. ELLENDER. Mr. President, if the Senator from Utah will permit me, the affidavit of Representative Lemke as to value was made in June 1939. The other affidavit was made subsequent to that date.

Mr. STEWART. It was made probably in 1941, I imagine.

Mr. MURDOCK. Mr. President, I have read from Tommy Sullivan's statement because he, Representative Lemke, Senator LANGER, and former Senator Frazier, were the only witnesses who testified as to the value of the land in Mexico.

Mr. LANGER. And the manager of the company, Mr. Musick.

Mr. MURDOCK. Yes; and the manager of the company also testified. The record shows that this company still maintains a caretaker for the remaining 400,000 acres, and is still interested in it.

Ex-Representative Lemke appeared before the committee and testified that he did not think the land had much value; but I call attention to the fact that when he submitted his claim to the Commission for the expropriated 80,000 acres of land he stated under oath that it was worth more than \$900,000.

If Mr. Lemke were called before the Commission today, I wonder whether he would be willing to take the same position he took before the Senate committee. Of course, he is a defeated candidate for the Senate. If Senator LANGER should be unseated, perhaps lightning might strike Mr. Lemke, I do not know; it could happen. He might have had some little interest, and he might still have a little interest. He could not defeat LANGER at the polls so he might have some little interest now in getting Senator LANGER out of the Senate. Let me say, while I am mentioning Lemke's name, that I served with him for 8 years in the House of Representatives. In my opinion, he is able, sincere, and earnest; I call him my good friend, and I hope I always may; but I know that when Bill Lemke goes after anything, hell and high water cannot stop him if he can climb over it.

In summarizing, we find that instead of a reduction of taxes during the biennium of Governor LANGER, there was an actual increase of \$136,000. We find that there was a reduction of about \$3,300,000 from 1937 to 1938, but if the exhibits, if the evidence, if the record, and the figures and the facts which I have put in, do not convince anyone that the railroads were entitled to a reduction, then I say it is an impossibility to convince by facts and figures.

We have to conclude, under the existing state of facts, under the existing circumstances, whether Tommy Sullivan was bribing Governor LANGER in the tax

matter, or whether he was buying stock in the company referred to on the gambling chance that he would get two or three or four or several times the amount of money he was putting in. I say that if one will study the record, if he will confine himself to figures and facts, and not depend on suspicion and imagination, he cannot come to any other conclusion than that the deal between Senator LANGER and Tommy Sullivan was on the square.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. MILLIKIN. I should like to suggest to the distinguished Senator from Utah that I doubt whether there is a western lawyer in the Senate, who has had any experience with estates, who has ever opened a box of a decedent in that section which has not been cluttered up with worthless land certificates, land stocks, mining stocks, and oil stocks, worthless at the time, but when purchased worth a hundred cents on the dollar.

Mr. MURDOCK. Any of us who have had a law practice in the West know that such things happen, indeed, that they happen every time there is a big estate closed. I am sure many western lawyers will recall in their practice cases of instances of land which was considered absolutely worthless, not even worth the payment of taxes, sometimes becoming a million-dollar property.

I call attention to a case which happened in my own experience. A lady left Texas 20 or 30 years before the big oil boom around Tyler. Her grandfather, before she left, owned 100 acres of land. Her interest in it was small, so small that she did not pay any attention to it after she left the State of Texas. Twenty or thirty years went by, and one Sunday morning she picked up the Salt Lake Tribune and read in it a description of one of the richest oil fields that had ever been discovered. She recognized the map and saw that the land of her grandfather was right in the heart of the oil structure. She came to my office and said, "Years ago I had an interest in that land. Is it worth anything now?" I said, "I think it is worth looking into." We did look into it, and today she receives a check monthly for her oil royalties. Of course, if anyone had said she had any valuable interest there, if some enterprising man from Texas had come to Utah and offered her \$50 or \$100 for her interest, she would have thought he was crazy; but her interest was valuable. This Mexican land, under the good-neighbor policy, as Tommy Sullivan referred to it, may become valuable, and the gamble he made and for which he has been ridiculed by Senators, may turn out to be a rather profitable investment.

I ask Senators again to look at the facts and figures in the record; and if they can come to the conclusion that railroad companies are bribing Governors to do what Senator LANGER did in this instance, then I am greatly fooled. They did not get a reduction in taxes; they got an increase, during his biennium, of \$136,000.

I now leave that branch of the case and go to the bond transaction, which I think probably is considered by many Senators to involve the most important charge against Senator LANGER. Let me hurriedly sketch what the record shows about the economic conditions in North Dakota.

Mr. SMITH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barkley	Gurney	Reed
Billbo	Hayden	Reynolds
Bone	Herring	Rosier
Brewster	Holman	Russell
Brooks	Hughes	Schwartz
Brown	Johnson, Calif.	Shipstead
Bulow	Johnson, Colo.	Smathers
Burton	La Follette	Smith
Butler	Langer	Spencer
Byrd	Lee	Stewart
Capper	Lucas	Taft
Caraway	McCarran	Thomas, Idaho
Chandler	McFarland	Thomas, Okla.
Chavez	McKellar	Thomas, Utah
Clark, Idaho	McNary	Truman
Clark, Mo.	Maloney	Tunnell
Connally	Maybank	Tydings
Danaher	Mead	Vandenberg
Davis	Millikin	Van Nuys
Doxey	Murdock	Walsh
Ellender	Murray	Wheeler
George	Nye	White
Gerry	O'Daniel	Willis

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

Mr. MURDOCK. Mr. President, coming now to the bond issue, I think probably I should first briefly review the economic conditions which existed in North Dakota when Senator LANGER took office as Governor in 1937. North Dakota had not only suffered with the rest of the Nation from the depression, beginning in 1929 and following through 1930, 1931, 1932, and 1933, but it was also suffering from failures of crops because of droughts to such an extent that the western section of North Dakota was to all intents and purposes bankrupt. Farmers could not pay their taxes. County governments were having a desperate time paying their officials and operating at all. School districts all over the State, and especially in the western portion of the State, were having difficulty in paying their teachers. The State government was having the same type of trouble. The failure to pay taxes was reflected not only in the municipal and county governments and the school districts, but in the State as well. In 1935 a law was passed, which I shall read from the laws of North Dakota, chapter 135, page 261, section 1:

A municipality may issue bonds under the provisions of this act for the purpose of funding and refunding its existing indebtedness at any time prior to May 1937.

Without reading the whole of it, that law provided, as I understand, that municipalities might issue bonds for the purpose of funding and refunding without referring the question to a vote of the people.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. McKELLAR. Was that while Mr. Langer was Governor, or before?

Mr. MURDOCK. It was before; it was in 1935. I call that to the attention of the Senate because of the statement of Mr. Duffy.

Let us see who Mr. Duffy is. Senator Langer was succeeded as Governor by Governor Moses. Governor Moses was elected in 1938. In his campaign he said to the people of North Dakota—

As a result of the issue concerning these bonds, if you will elect me Governor of this State I will clean up the bond situation and bring to justice the men who are responsible for it, including Senator Langer.

That was the election issue on which Governor Moses campaigned.

We find that after he was elected Governor in 1938 and took office in 1939, one of the first things he did was to appoint Clyde Duffy, a very able, intelligent lawyer who had supported him in the campaign, to investigate the bond issues and to inform him and the people of North Dakota as to what had happened. Moses is a Democrat, and Duffy is a Republican; but as a Republican Clyde Duffy supported Moses for Governor.

When Mr. Duffy was before the committee he exhibited an intelligence as a lawyer which, in my opinion, put him a little above the average. He seemed to be a very honorable, high-class man.

In the second paragraph of Clyde Duffy's report we find the following:

Pursuant to the 1937 law permitting counties and other municipalities to refund outstanding indebtedness a considerable number of counties and other municipalities during 1937 and 1938 issued refunding bonds.

I do not know why he said "pursuant to the 1937 law" unless he wanted to make a little better case against Senator Langer. If it could be shown that the law under which the municipalities were operating had been passed during Governor Langer's administration it would make a little better case against him; but the fact is that the law was passed in 1935, and, of course, was renewed in 1937. Why? I suppose because there were still some counties which wanted to take advantage of the law.

Let us leave the record for a few minutes and consider the question of how counties, municipalities, and school districts issue bonds. A great many Members of the Senate are lawyers. I am sure that many of them have had experience on that question as county attorneys, attorneys for municipalities, State's attorneys, or attorneys for school districts. How is it done?

The minute any county, school district, or municipality gives out information that it is about to issue bonds or is even considering it, the bond hawks are on the job, as industriously as are our news reporters in the press gallery and elsewhere. They are out after bonds, just as the news reporters are out after news.

They then begin meeting with city councils and school boards and offering proposals for taking care of the bond issues. Early in my experience as a county attorney I found that bond

brokers are not willing to take the advice of a county attorney. They are not willing to take the advice of a general practitioner. When a bond issue is being considered they require the approval of the issue by an expert bond lawyer. All Members of the Senate who are lawyers and who know anything about bond issues know that to be a fact. In my practice I was rather indignant when some bond broker said, "You will not do. We want our attorneys to pass on the issue."

What is the proposition made to a county or school district? The bond brokers say, "In connection with your bond issue, or your refunding issue, we will take care of the proceedings from the first step down to the signing of the bonds, and give you so much for them." Unless I am mistaken, that is the way bond issues are handled.

The evidence in this case is that, because of the economic condition of the counties, because of the failure of the farmers to pay taxes, the counties began issuing warrants and certificates of indebtedness, bearing 6 and 7 percent interest, which could not be paid. Wherever they could do so, the counties were going to the great State Bank of North Dakota and endeavoring to sell their certificates of indebtedness there. The counties were issuing to their employees warrants, which, when they could not be paid by the county treasurer, were stamped, and from that date on they bore 7-percent interest. That is the picture of conditions in North Dakota.

We find that a man by the name of Brewer was operating in that section of the country—in North Dakota and in adjoining States—and had been doing so for years, buying and selling bonds, meeting with county officials and arranging to refund the counties' bonded indebtedness, meeting with State officials, meeting with school boards. He was there for that purpose. In my opinion, he was a great businessman. He knew the bond game from A to Z, and he was not only working with the counties in connection with their bond matters, but he was buying the certificates of indebtedness back in 1934, in 1935, and in 1936, prior to the time when Langer was Governor—working with them, meeting with them, going over the situation, and offering them propositions with respect to how they could refund.

There was a terrible condition existing in the counties of North Dakota. Men with money were coming into the State from adjoining States and buying the land that was being sold by reason of defaulted taxes, land on which, as I understand, 12 percent and up was being paid as penalty and interest on unpaid taxes.

Senator Langer, after he became Governor in 1937, in order to stop that practice caused to be enacted by the legislature a law which made the maximum interest which could be paid on the sale of land for tax purposes 6 percent. That law went into effect in 1937, to stop the practice of men coming in from the outside and buying such land—not to get the lands, but in order to draw the enormous interest on the tax sales.

The charge which is made against Governor Langer is—and I am sorry that I do not see any Members of the majority of the committee present—that while Senator Langer was Governor the counties could not sell their bonds directly to the State Bank of North Dakota or to the other State agencies of North Dakota, but, because of the dominating influence of Senator Langer, they had to sell to Brewer; and, after Brewer purchased the bonds, he sold them to the State Bank and to the other agencies, at quite an enormous profit; and that it was through the influence of Senator Langer that he was able to do so.

It is further charged that in payment for the exercise of his influence in these bonding matters, two men, Brunk and Brewer, paid Langer \$56,000 for worthless lands, as a cover-up scheme, or, let us say, as a bribe, in the bond transaction. Brunk was the attorney for Brewer, and they formed a corporation, I think, having a very small capital.

We must consider the fact that the counties were interested in their bonds; they had a say. The Bank of North Dakota and the State agencies came into the picture. The evidence will disclose that Brewer was engaged in this bonding business for at least 2 years, according to the evidence of Stangler—who was manager of the bank before Senator Langer's time—according to Brewer himself, according to Duffy, and according to Brunk and Senator Langer. He had been engaged for 2 years in contacting the counties, arranging to buy, arranging the bond issues, and all the time purchasing certain quantities and amounts of the outstanding bonds and certificates of indebtedness.

In order to get the whole story, we must digress for a moment, and consider who Stangler was. Stangler, according to the report of the majority of the committee, was a very capable, efficient banker. I think he is lauded very highly in the majority report, and the Senator from Illinois did so on the floor. It was said that Stangler is a great banker, a man who can be believed, and who is worthy of our confidence.

I thoroughly agree with the Senator from Illinois and the majority of the committee that Stangler is a good banker, that he is a man worthy of our confidence and belief. I ask the Members of the Senate to read his testimony from A to Z, and to see if they can find any part of it which would show that Senator Langer ever influenced a board of county commissioners to do anything for Brewer, that he ever refused to allow them to sell their bonds direct, or that he had anything whatever to do with the bond transactions except to sit on a board, as an industrial commissioner, or as one of the directors of the bank. I think no Senator can point out in Stangler's testimony any evidence to the effect that Senator Langer had one thing to do with the bond issues in the way of stopping the counties from selling direct, and then allowing Brewer to come in and to sell as a broker.

Stangler first came into the picture because of his connection with the Bank

of North Dakota, which is not simply a State bank, as we understand State banks, but is a bank absolutely owned by North Dakota, created for the purpose of being the fiscal agent of the State agencies.

Stangler first came to the bank as an appointee under the first Langer administration, back in 1933. He finally became manager during the Langer administration. He continued as manager during the first Langer administration, and during the Welford administration, and he stayed in the bank during the second Langer administration; but when LANGER became Governor the second time, in 1937, Stangler was demoted—for reasons which Senator LANGER has given to me privately. Senator LANGER has stated that he will state to any Senator who will come to him privately the reasons why Stangler could not continue as manager of the bank. The reasons he gave me are, in my opinion, good; and, if there is any doubt in the mind of any Senator, I ask him to go to Senator LANGER and have him state why he demoted Stangler after he had made a successful manager of the bank, after he had first come in as the appointee of Governor LANGER. It was hard to understand why LANGER should want to demote Stangler as manager of the bank. Stangler was not removed; he was demoted from his position as manager of the bank to that of manager of the credit department; and a man by the name of Frank Vogel was brought in as manager of the bank, under LANGER.

Inasmuch as I have mentioned Vogel, let me ask the Members of the Senate to keep in mind during their study of the case the fact that Vogel became manager, under Governor LANGER, in 1937.

Governor Moses ran for Governor and one of his campaign issues was that of investigating the bond transactions in connection with which Senator LANGER had been accused. Mr. Moses is still Governor of North Dakota, and Frank Vogel, the man whom Senator LANGER made manager of the bank, continues as manager under Governor Moses.

If there was any wrongdoing in the bank, the wrongdoing had to come either through Vogel or Stangler. Stangler was manager of the credit department and Vogel was manager of the bank. If there was wrongdoing, one or both of those men were implicated in it with LANGER, were they not? Yet we find them both still officials of the State of North Dakota under Governor Moses. Vogel is manager of the bank and Stangler has been promoted to be manager of the State mill and elevator, which, I understand, is the highest paid job in North Dakota. Is it reasonable to infer that if Governor Moses discovered some chicanery or some fraud and corruption in these bond transactions he would still keep Frank Vogel as manager of the bank and put Mr. Stangler in charge of the great State mill and elevator? Is that natural? Is it reasonable to assume such a thing?

Mr. MCKELLAR. Mr. President, if the Senator will yield, are the mill and elevator owned by the State?

Mr. MURDOCK. Yes; they are owned by the State.

Now let us read from page 68 of the majority report on this charge:

Gregory Brunk and V. W. Brewer make almost \$300,000 in gross profits on North Dakota bonds in 1937 and 1938. Brunk purchased sight unseen \$56,000 worth of real estate from respondent with an equitable value of \$5,600.

I want to get down to the statement about the bank, but first I will read from the report concerning Stangler, on page 70, to corroborate my statement:

His demeanor, his testimony, and his background indicated he was a man fully qualified to carry on the business and all the problems of a large financial institution such as the State Bank of North Dakota.

After Stangler was demoted, one Frank A. Vogel was placed at the head of this tremendous financial institution. The evidence shows that Vogel had been an unsuccessful banker of a small bank at Cold Harbor, N. Dak., same having been liquidated during the crash.

I do not accuse the majority of the committee of unfairness; I have stated time and again that they have my highest respect; but I ask the Senate, would it not have been a little more enlightening if the majority of the committee had said that Frank A. Vogel, whom they picture as an unsuccessful banker, is still head of the State Bank in North Dakota under Governor Moses, who carried on the investigation into the bond transactions after he became Governor. That, however, is not in the majority report; nor is it stated when reference is made to Stangler that he is still one of the high officials in North Dakota under Governor Moses.

Returning to page 68 of the majority report, I read the following:

It is well to point out that under the laws of North Dakota the State Bank of North Dakota, as well as other State institutions, had the power to negotiate and purchase direct, bonds issued by the various counties of that State, and that upon at least three occasions where the county commissioners attempted to sell the bonds direct to the bank, or to the State institutions, over which the respondent had veto power, there was a refusal upon the part of the State Bank or State institutions to buy said bonds. But in those cases the evidence shows that later on, after Brewer had purchased these bonds from the counties at a discount, he was able to sell to the bank, or some of the other State institutions, these very same bonds for par value.

It is apparent from the evidence that Brewer used the State Bank of North Dakota to finance these transactions.

If there is a member of the majority of the committee in the Chamber—and I see the Senator from Vermont [Mr. AUSTIN]—present—I should like to have him name for me the three counties to which reference is made in this statement in the majority report.

Mr. AUSTIN. Mr. President, I do not know to what the Senator refers. From what page has he been reading?

Mr. MURDOCK. I have been reading from page 70 in the third paragraph, not counting the part of the paragraph at the top, toward the center of that paragraph where is found the statement:

And that upon at least three occasions where the county commissioners attempted

to sell the bonds direct to the bank, or to the State institutions, over which the respondent had veto power, there was a refusal upon the part of the State bank or State institutions to buy said bonds.

Mr. AUSTIN. Mr. President, I think I would have a remarkable memory if I could carry this item in mind.

Mr. MURDOCK. I think so, too; I agree with the Senator.

Mr. AUSTIN. I am perfectly willing to look it up for the Senator, but I could not possibly answer the question offhand.

Mr. MURDOCK. I realize it is an unfair question, but I thought, perhaps, the Senator might have some notes on it. The reason I ask the question is that if only three counties offered their bonds to the bank or State institutions and were turned down, certainly it would take but very little time to look at the record and see what the evidence is with reference to those three counties and ascertain if LANGER had anything to do with at least the three counties to which the majority of the committee refer. I realize, as the Senator from Vermont says, that when he is asked point-blank for the names of the counties, he would have to have a very remarkable memory if he could remember them unless he had some notes. I should like, however, to have someone furnish me the names of the three counties, if it can be done, while I am making my argument.

It is apparent from the evidence that Brewer used the State Bank of North Dakota to finance these transactions.

What is the inference to be drawn from that statement? Is it not that Brewer was able to go the Bank of North Dakota and through the bank finance the purchase of the bonds? I will read it again.

It is apparent from the evidence that Brewer used the State Bank of North Dakota to finance these transactions.

If the majority of the committee mean that the bonds were delivered to the bank by the counties, and then by the bank delivered to Brewer after he paid for them, there is no question that the evidence supports such a statement, but if the majority of the committee mean that the Bank of North Dakota financed the purchase of the bonds on the part of Brewer, then I say that there cannot be found in the record anything to support such a contention; but, on the contrary, from the testimony of Stangler and of Brewer it is found that the bank never did such a thing. I do not know whether any Member of the Senate has in mind the particular evidence, or who gave it, that the bank financed the purchases of Brewer, but the record is replete with testimony that the bonds were delivered by the counties to the bank with instructions to deliver them to Brewer when Brewer paid for them. Brewer himself testified that when they were delivered, "Yes, I wrote my check and then told the bank to whom and where they should be delivered."

Unless I am mistaken there were 30 or 31 counties in North Dakota—

Mr. LANGER. Thirty-one.

Mr. MURDOCK. There were 31 counties in North Dakota which issued bonds

during the LANGER administration. Of the 31 counties, in 11 of them the transactions were handled by Brewer. To my mind that is important. Thirty-one counties are selling or issuing bonds, but in only 11 are the transactions handled by Brewer. I wonder what Governor LANGER got out of those who were handling the other transactions?

I think, Mr. President, that in order to find Senator LANGER guilty in the bond transaction it must be found that he had something to do with the sale of the bonds by the counties to the brokers. That is where the profit was made on these bond deals, namely, by the broker being able to buy at a discount from the counties and then when he sold the bonds to the State institutions or to private purchasers to sell them at par. Can any one blame Senator LANGER, as Governor, for what a board of county commissioners did with the bond issues, unless he can be connected in some way with the sale of the bond issues by the commissioners?

There is no question that if any of the State agencies over which he was presiding as commissioner or as Governor purchased the bonds at par it would not make Senator LANGER guilty of causing the county boards to sell at a discount, would it? I cannot understand how it could.

As I have read from page 70, we find the statement, "It should be noted that the State Bank of North Dakota is the fiscal agent of all State institutions and counties." If any Senator can point to the evidence in the record showing that the Bank of North Dakota is the fiscal agent of a county I should like to have him do so. I do not think there is any question that it might be considered to be, and was, the fiscal agent of the State, but I cannot find evidence in the record to show that it was the fiscal agent of the counties. On the contrary, Stangler testified that at one time it was compulsory for the counties to deposit their funds in that bank, but that the law had been changed, and at the time of the happening of the events we are considering it was not compulsory, but was absolutely optional.

I read further from the majority report:

It is mandatory upon the counties and the State institutions that they deposit their funds in this State bank.

I should like to have some Senator, if he is able to do so, point out in the record the law which compels counties to deposit their money in the State Bank of North Dakota. I do not believe it can be done; I do not believe it is in the record. I believe, indeed I know, that Stangler's testimony is that at one time that was true, but that it was not true at the time we are considering.

Returning now to Mr. Stangler, and to what the majority think about him I have already read the statement about his appearance. What does Mr. Stangler say about the fact that the Bank of North Dakota is, or was, the fiscal agent of the counties, or that it was mandatory for the counties to deposit their funds in the bank? Let me read Mr. Stangler's

testimony, given to the investigators, as it appears on page 1810. That is not in the green book, it is in the "grab bag," which contains so many affidavits and statements:

Question. And under that statute is the Bank of North Dakota made the fiscal and financial agent of the State and all of its political subdivisions?

Answer. Well, originally it was compulsory for all county funds or public funds to be on deposit in the Bank of North Dakota. Later on it was changed that it was optional with the cities, schools, counties, and townships. But, the State still had to deposit all its money in the bank.

Question. You say it was optional with counties also?

Answer. Counties, and counties—school district, townships, and cities, and maybe some of the other political subdivisions, small ones, but the State funds still is compulsory to this date.

Question. Well, did the statute however making the Bank of North Dakota the fiscal and financial agent of the State and its political subdivision? I mean aside from the question of whether it was compulsory for them to deposit all their money there?

Answer. No; it never was the fiscal agent on a compulsory basis for the local subdivisions, because the counties operated their own business, their own affairs, just like an individual. In other words, county commissioners done whatever they pleased, as far as running their own county.

To show how little control the officials of the Bank of North Dakota—and that includes the Governor—had over the heads of departments, I quote the following from Mr. Stangler's testimony to the investigators, page 1815:

Question. And did the officials of the Bank of North Dakota act as counsel and advisers for the various State departments with reference to their funds and deposits and loans?

Answer. No. All the time I was up there, I don't want to say anything against the State departments, but I had very little chance to ever tell them as to investing their moneys, or what to do, occasionally one of them would come down and ask me, but generally speaking, they ran their own show.

In 1937 there was an investigation by the North Dakota Legislature relative to the purchasing of bonds, and it was after that investigation that the legislature passed a law requiring the approval of the industrial commission. This is Mr. Stangler's testimony in that regard, given to the investigators. It starts on page 1817:

Question. Was there a Senate investigation of the purchase of bonds by the various State departments?

Answer. That is right; that is what I was just mentioning.

Question. And in what year was that made?

Answer. Nineteen hundred and thirty-seven.

Question. Well, as the manager of the Bank of North Dakota, did you consider it your duty to assist the various counties that may have bond issues in distributing those bonds at the best price available?

Answer. I tell you they never, invariably they would never, come to us; they seemed to run their own show. Occasionally some county would come down and offer a bond issue. We purchased several small issues; in fact, I don't think there was any time that the bank during 1937 and 1938 and 1939 but what we bought here and there small issues.

But, generally speaking, we never did much as to helping distribute the bonds. We would either buy them outright or that was as far as we would go.

But we weren't in a very good position to buy very many bond issues in 1937—I mean 1933 on up to 1937.

Question. But in 1937 you were in a better position; is that right?

Answer. Well, certainly, a little better; but we remembered the past 4 years, how tough going it was, and, as far as I was concerned, I couldn't possibly reconcile myself to loading the bank up with a lot of securities—I couldn't reconcile it.

They had one crop failure after another, and it was plenty tough when it looked as though we weren't going to have enough money to pay deposits, as well as school districts coming in there demanding the cash that they had on deposit and all that sort of thing.

As I understand, the majority report states that the counties could not sell to the bank, but that Brewer could. The evidence of Stangler, however, seems to be that the counties could not, except—and he explains it later on—the shorter maturities, in small amounts. The bank was interested and took some of them, but for a county to come in with, say, a \$200,000 bond issue, in some instances, \$400,000, or \$600,000, and ask the bank to take them, Stangler says no, it was out of the question.

The question may arise in Senators' minds, could not the bank have taken the whole issue, and then sold the bonds around? Perhaps the bank could have done that, but Stangler says it did not have the facilities with which to do it.

The charge has been made in the majority report, and in very strong language, that the county commissioners would first offer their bonds for sale to the Bank of North Dakota, that the bank officials would refuse to buy them, that the counties would have to sell to Brewer, and that a few days later Brewer would sell the bonds to the Bank of North Dakota or to some other agency.

In this connection, we again have the testimony of Mr. Stangler, the man, remember, whom the majority of the committee praise very highly, the man whom the distinguished Senator from Illinois states he would swear by, the man whom Governor LANGER demoted, and who now has a leading position under Governor Moses. When he was interrogated by the investigators, he said in this connection, reading from page 1821:

Question. Have you heard the charges that the counties selling bonds would, being unable to sell their bonds to the Bank of North Dakota, would be approached by Brewer, and after making a trade with Brewer that the bonds would immediately become the property, after delivery to Brewer, of the Bank of North Dakota and the State institutions?

Answer. Yes; I have heard those charges.

Question. Do you know anything about the truth or falsity of those charges?

Answer. Well, as far as the Bank of North Dakota is concerned, my policy, and I think that was generally the policy, was that the—when you get rid of as many of these issues as we got. For example we had some old bond issues of counties that had been there for a long time. It was true in some cases we exchanged the old ones for the new ones; I think that was true, how extensively, I couldn't say. But, as to the general prac-

tice that the counties couldn't sell to the bank first, and then later sold to the—then later the bank became the owners, I don't think there was anything to that.

There we have Stangler's statement—I don't think there was anything to that.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. AUSTIN. If the Senator is interested in the names of counties which there was evidence tending to show had offered or tried to sell direct, I can furnish them. My attention has been called to that evidence, and I am glad to give it to the Senator, if he wants it. I do not want to interrupt him if he does not.

Mr. MURDOCK. I am glad to have it.

Mr. AUSTIN. If the Senator will turn to page 97 of the report and memorandum of information submitted to the Committee on Privileges and Elections, he will find that the counties are Grant, Mercer, Sheridan, Morton, Ward, Adams, Slope, and Mountrail—this being, let me say, a part of the report of Mr. Clyde Duffy, the special attorney for the Governor. He says there that these counties "are all reported as having applied to one or more State agencies before making a sale of their bonds through a broker."

The names of others appear on the next page. There is also further evidence in the form of photostats of the books of the V. W. Brewer Co. showing the counties. The photostats have red marks on them, and I am glad to hand them to the Senator if he wants to make use of them.

Mr. MURDOCK. Do I understand that this is the only evidence in the record?

Mr. AUSTIN. I cannot say that. The fact is that personally I make no special point of that matter. This is not a part of the report with which I had to do, and this is the first time that particular question has been brought to my attention.

Mr. MURDOCK. Very well. The Senator from Vermont has very kindly given us as the evidence with reference to the three counties the report speaks about, the names of the counties listed on page 97 of what is styled "Committee print," which is the report and memorandum of information submitted to the Committee on Privileges and Elections. I think perhaps this is an improper question, due to the statement which the Senator from Vermont has made, but does the Senator know of any reason why the majority report refers only to three counties, when Mr. Duffy mentions eight counties?

Mr. AUSTIN. No; I cannot explain that.

Mr. MURDOCK. I thought there might be some reason for referring to those counties.

When I yielded to the Senator from Vermont—and I was very happy to do so—I think I was about to state that much is made in the report of the majority of the fact that Mr. Stangler was demoted and Vogel was put in his place. I do not know why that is important, unless the majority of the committee wants us to believe that Governor LANGER

had some purpose in getting rid of Stangler and putting Vogel in the office. The inference I draw is that there must have been some kind of motive in the back of the Governor's head for demoting Stangler and putting Vogel in.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Is there any proof of that? Does one not simply have to imagine it?

Mr. MURDOCK. That is what I say. My inference from the majority report is that they attach considerable importance to that fact. They point out how successful Stangler has been, and that the only qualifications of Vogel seem to be that he was the operator of an unsuccessful bank at Coleharbor. If we take the view of the majority, that Stangler had a right to feel that he had been treated unjustly, then must we not also infer that if there was anything wrong with Governor LANGER's operations in connection with the bank, and Stangler knew anything about it, he would naturally want to come back at Governor LANGER and perhaps even up the score? I simply offer that suggestion for what it is worth, and it seems to me it is a proper inference to be drawn from the majority report on that question. We now have the evidence called to our attention by the Senator from Vermont that the counties which tried to sell directly, but failed, and then sold through Brewer, are the ones listed in the Duffy report.

Mr. LUCAS. Mr. President, will the Senator yield at that point?

Mr. MURDOCK. I yield.

Mr. LUCAS. I think the Senator will find that there are two counties among those listed in the Duffy report, in which Brewer and Brunk did not figure. In other words, that the counties attempted to sell to some others, one being the same individual who originally bought the bonds from Williams County, and who later on had to buy through Brewer and Brunk. But there are two counties mentioned there with which Brewer and Brunk had nothing to do at all.

Mr. MURDOCK. The Senator from Illinois now tells us, and I think it is very remarkable, that two of the counties listed here by Duffy handled the bonds through someone else besides Brewer. So, certainly, Governor LANGER could have no connection with them, and did have no connection with them.

Mr. LUCAS. That is correct. I will say that those two counties which are listed in the Duffy report are not included in the report made by Mr. Brunk to the committee. In other words, the ledger sheets showing the profits made by Brunk from these various county transactions involving bonds, did not include those two counties which Duffy mentioned.

Mr. MURDOCK. Apparently the investigators were not quite satisfied, because later on the witness was asked, as appears on page 1842:

Question. Brewer, we will say for instance.

Answer. Gosh; I don't know—

This is Stangler testifying.

I just don't remember of a sale of a bond to Brewer that later was sold to the State; I can't recall any. There might have been one, but if there was, it was one in a very, very few.

All of those issues—that brings us right back down to what the politicians stated—

Stangler is now telling us what the politicians stated in the campaign—

that brings us right back down to what the politicians stated that the bank got these bonds. I heard Senator—Congressman Lemke make that statement over the radio that Ward County sold its bonds to Brewer, then they finally got into the Bank of North Dakota. Now, as a matter of fact, those bonds that the State departments bought never went into the Bank of North Dakota as ownership, never. Never. We never bought issues from Brewer and then later sold them to State departments. That wasn't the policy of the institution. It might have happened in a bond or two—

Speaking of individual bonds—

It might have happened in a bond or two that he may have had an agreement to sell a State department a certain number of bonds and then was a bond short. But never was a bond issued like this deal I am mentioning, like Ward County, like I turned them down and later on the bank in fact bought them, then they were in the State institutions, because the bank hasn't put a dime in those bonds, because the bank hasn't got one cent from their bonds.

Mr. LUCAS. Mr. President, will the Senator again yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. Is not that which the Senator is now quoting the best evidence that the people of North Dakota, even Lemke himself, did not know the real transaction that was going on? In other words, Lemke made that kind of a speech over the radio, and the one who was the manager of the bank at that time, comes along and testifies that Lemke himself was wrong in making that statement over the radio, proving conclusively to me that if Lemke, who was the opponent of Senator LANGER in that campaign, did not know what it was all about, certainly the people of North Dakota did not know about the bond transaction.

Mr. MURDOCK. I do not believe the manager of the bank is trying to tell us what Lemke knew about the transaction; but he does refer to the fact that Lemke was, as I understand, taking the position that the manager took, that the counties tried to sell to the bank direct. They could not sell, but when Brewer got the bonds he did sell them to the bank, and then the bank resold them to the State institutions. That is, at least as I understand, one of the charges the majority of the committee make. According to Stangler, it seems to have been talked about in the campaign by William Lemke, when he was running against LANGER.

Taking up one of the counties mentioned on page 71 of the majority report, the following question was asked, as appears in the testimony taken by the investigators at page 1845:

Question. Would it strike you as peculiar that on the same date that the bonds were delivered to the bank, which is as I have it here, July 27, 1937, that they were sold to the State Bonding Fund?

Answer. That is the way they always did, the bank never bought any. The way they

did it, the county asked that the money be deposited in the bank. So to protect the county, the county would send the bonds down to the bank after they were printed, and then—when instructions came—to give them credit for the bonds.

Question. Yes; but would it strike you as being peculiar that the State bonding fund would purchase these bonds on the same date that they were delivered?

Answer. No; that wasn't anything. Here is the way they do: Any bond company, just like this city here sold its bonds, here—these bond companies would buy these bond issues in, then the minute they had bought them they would immediately cast around and try to sell them, and whether they sold them to the State bonding fund or sold them to the outside, or sold them any place, the sale was made subject to these bonds being delivered.

In this case, I don't remember the incident, but if the bonds were sent to the bank, and if Brewer bought them, which I understand he did, he gave a check for them, I am satisfied of that, he always did. Never once did those issues come in—

I refer back to the following statement in the majority report:

It is apparent from the evidence that Brewer used the Bank of North Dakota to finance these transactions.

Stangler says that it was never done in connection with a single issue.

Mr. Smith, one of the investigators, was questioning Stangler:

He might anticipate this delivery—

Mr. LUCAS. Mr. President, will the Senator yield before he leaves that point?

Mr. MURDOCK. I yield.

Mr. LUCAS. Will the Senator reread the testimony with respect to Brewer giving a check, and tell us upon what bank he issued the check?

Mr. MURDOCK. Stangler does not say on what bank.

Mr. LUCAS. He does not say on what bank; but as I recall there is evidence somewhere that the transaction was made at that bank, and that Brewer made no investment or outlay of money at all in connection with the sale of those bonds from the county to the State Bank of North Dakota. If there is any evidence from Stangler himself that shows on what bank Brewer gave his check I should like to have it.

Mr. MURDOCK. I wonder if the Senator is fair in this matter, as he should be.

Mr. LUCAS. I have tried to be.

Mr. MURDOCK. With respect to every quotation I have read to the Senate today I have not only given the page, but I have stated the name of the witness who was testifying, and the name of the investigator questioning him. Now the Senator rises and tells the Senate that somewhere there is some evidence in contradiction of the evidence which I am reading.

Mr. LUCAS. It does not contradict it at all. The Senator has not yet given the Senate any evidence that shows in what bank Brewer had his money, and upon what bank he drew the check. Stangler does not say from what bank Brewer drew the money to pay for the bonds.

Mr. MURDOCK. I think, before I have finished reading, the bank will be named.

Mr. LUCAS. I merely asked the question.

Mr. MURDOCK. The Senator would not expect me to know. I am reading the evidence of Stangler. I know that the Senate is rather bored by the reading of this evidence; but how can we get the facts if we do not go to the evidence? I do not think it is fair for any Senator to rise and say that somewhere there is evidence on this question. I think that when such statements are made the evidence should be at the Senator's disposal, so that he can call it to the attention of the Senate.

Mr. LUCAS. The Senator has just said that he does not know I realize that there is considerable evidence in this case, and that he does not have it all at his fingers' ends. Neither does the Senator from Illinois.

Mr. MURDOCK. But when I quote evidence I am able to turn to the evidence.

Mr. LUCAS. The Senator has not yet shown the facts from which he draws his conclusion with respect to the payment of money by Brewer for the bonds. It may be in the evidence, but the Senator has not yet shown it.

Mr. MURDOCK. Let me read Stangler's statement again:

Answer. No; that wasn't anything. Here is the way they do: Any bond company, just like this city here sold its bonds, here—these bond companies would buy these bond issues in, then the minute they had bought them they would immediately cast around and try to sell them, and whether they sold them to the State bonding fund or sold them to the outside, or sold them any place, the sale was made subject to these bonds being delivered. In this case, I don't remember the incident, but if the bonds were sent to the bank, and if Brewer bought them, which I understand he did, he gave a check for them, I am satisfied of that, he always did. Never once did those issues come in—

Then he was interrupted by the next question.

Mr. SMITH. He might anticipate this delivery and go to these agencies that might be in the market for it?

Answer. Oh, he sold them right away, the minute he had a bond issue bought, he would get busy immediately trying to sell them.

On page 1847, Mr. Stangler volunteered the following testimony:

Answer (interrupting). Of course, here is the one thing you want to remember, that the time was ripe in 1937 and 1938 for these various departments to buy securities, because the taxes came in, and they had a lot of surplus funds on hand, and they would buy quite freely; they would buy quite freely.

Question. Do you know why the various county commissioners were not informed of that fact by the bank or by the industrial commission?

Answer. Oh, gosh, I couldn't say. I will tell you my experience wasn't very satisfactory trying to tell these departments what to do. I appeared up before the university—not the university—the teachers' retirement fund many times, tried to sell them bonds of one kind or another. I don't think, just confidentially, that I ever sold them once. And, it was pretty hard to tell these State departments what to do, it was pretty hard to tell them what to do.

Question. Was it pretty hard to tell the commissioners or give them suggestions as to where they might sell them?

Answer. No; here is the way this works: If a State department—for example, I know in one case where a State department, I think that was the board of university and school lands, I am not sure now—had a certain bond issue, one or two hundred thousand dollars, and that was paying 5-percent interest. And the local subdivision had a chance to borrow the money at 4, and they made arrangements to borrow the money and paid off this big job of bonds, and right away the department had a lot of money on hand to reinvest, and quite a lot of that happened, and departments got loaded up with cash in short order, and my personal opinion is that Mr. Brewer had these counties sewed up quite a little time before the bond issues materialized, I think he must have had them sewed up for quite a while in advance.

Mr. SMITH. Sometimes as much as 2 years?

Answer. That is possible, so that the State departments wouldn't always know just when or how soon they could buy.

That is a statement from Stangler dealing with Brewer and the matter of delivery of bonds from the counties to him in his purchases and sales. In his opinion, Brewer had the counties tied up very much in advance of the sales—in some instances as much as 2 years. That would be 2 years before Governor LANGER became Governor. That is the end of that quotation.

I am sure that the Senate was much interested, in view of the majority report, in the statement that the Bank of North Dakota was the fiscal agent of the counties, in the following testimony of Mr. Stangler, from page 1849:

Question. Would you say the majority of the counties who had bond issues came to the bank?

Answer. I would say that invariably the poorer counties came, poorer counties generally came. The ones we wanted to get rid of. That is about the size of it. Cass County, Grand Forks County, they never come in. Stutsman County never come in. They could sell them readily, but these counties, like Grant County, Sioux County, we wanted to get rid of.

Grant County is one of the counties named in the Duffy report. It is reported to have wanted to sell its bonds direct. Stangler says that "the poorer counties came to us, but the richer counties did not." The counties they wanted to get rid of came. The other counties did not.

Coming to the question of the various counties which are named, if Senators will look at the committee report on page 71, they will find that the first county listed is McHenry County. There is no evidence whatever in the record that McHenry County ever came to the State Bank of North Dakota or to any State agency and tried to sell its bonds direct. I believe that no member of the committee can find one scintilla of evidence that McHenry County came to the Bank of North Dakota, or to any other agency.

The second county mentioned is McLean County. There is no evidence with respect to that county; but if the majority of the committee had read the evidence of Ole Sundby, County Commissioner of McLean County, beginning on page 323 of the testimony taken by the investigators, they would have found that Brewer bought those bonds in the month

of December 1936, before LANGER ever became Governor. The testimony shows that the auditor went to the board of university and school lands before WILLIAM LANGER became Governor, and that those bonds were turned down.

The third county on the list is Pierce County. I wish to call upon the Senator from Illinois or any other Senator on the majority of the committee and ask for the evidence with reference to Pierce County ever offering its bonds.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. I do not know whether it ever offered its bonds; but, if the Senator will turn to page 71 of the majority report, he will find that in 1937 Mr. Brewer made \$1,486 out of Pierce County bonds. The date is shown in the report; it is 1937. I care not whether the profit was made during Governor Welford's administration or during that of another Governor; but the date is marked "May 22, 1937."

Mr. MURDOCK. However, the majority of the committee charge that Governor LANGER is guilty in that the counties tried to sell their bonds directly to the State bank but were unable to do so, and that thereafter they sold them to Brewer, who was able to sell them to the State bank.

I call on the Senator from Illinois or any other member of the majority of the committee to point out any evidence of Senator LANGER's having participated in such a manner in connection with the sale of the bonds of Pierce County, which is one of the counties listed in the report of the majority of the committee.

Mr. LUCAS. Certainly, we listed it; because the information as to it was lifted from Brunk's ledger sheets. He said positively that in May 1937 he made \$1,486 in commissions on the sale of bonds of Pierce County. I do not know anything other than what the ledger sheet shows. He definitely stated that the profit was made in 1937.

Mr. MURDOCK. We do not contest the fact that he made a profit. Is it a crime to make a profit? Is that any evidence that Senator LANGER is guilty of having committed a crime in connection with that transaction?

I ask the Senator from Illinois or any other member of the majority of the committee to produce one word of evidence that Pierce County offered its bonds to some agency that could be influenced by Senator LANGER, and that the county was turned down.

Mr. LUCAS. In the Duffy report, I think the Senator will find that seven or eight counties are mentioned. Duffy is the man who was appointed by Governor Moses to make the examination; and he was cross-examined at great length by counsel for Senator LANGER.

On page 97 of the Duffy report we find the following statement by Duffy:

Grant, Mercer, Sheridan, Morton, Ward, Adams, Slope, and Mountrail Counties are all reported as having applied to one or more State agencies before making a sale of their bonds through a broker. The commissions received by V. W. Brewer Co. and associates, as nearly as I have been able to determine, are as follows:

Then he proceeds to set forth the names and amounts.

There is nothing there about Pierce County, and I do not know that it is claimed anywhere in the majority report that there is any information about Pierce County other than that contained in the ledger sheet itself, as shown by Brunk's exhibit, which he put in evidence.

Mr. MURDOCK. Yes; we very readily admit that the ledger sheet shows a profit from the sale of Pierce County bonds; but in the majority report it is said that there were three counties—three counties out of all the counties they listed—

Mr. LUCAS. Mr. President, if the Senator will yield, let me say that we underestimated our position.

Mr. MURDOCK. I do not yield to the Senator. The majority state in their report that there were three counties that went either to the State bank or to some other State agency and tried to sell directly, but could not sell directly; and that Brewer, after he got the bonds, was able to sell directly to the State bank.

Since the majority report does not give the names of the counties to which reference is made, the responsibility becomes mine to go through the entire list, county by county, and to ask the majority of the committee to point to any evidence which shows that any county ever went to any State agency or to the State bank and offer to sell directly.

Mr. LUCAS. I just read to the Senator the county names that were taken from the Duffy report.

Mr. MURDOCK. Yes; from the Duffy report.

Mr. LUCAS. They were taken directly from the Duffy report, the accuracy of which was not disputed on cross-examination, as I understand, by anyone.

However, as I said a while ago, the profits made from 2 counties mentioned there are not chargeable to Brewer and Brunk.

The only thing the majority did was to understate its case insofar as the three counties are concerned.

Mr. MURDOCK. I want to give the majority members of the committee the opportunity to point out the evidence as we come to the names of the counties.

Mr. LUCAS. I cannot point them out any more definitely than I have pointed them out.

Mr. MURDOCK. I am sure the Senator from Illinois cannot point them out more definitely than he has.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Some statement was made with reference to bond sales in 1937. Does not the evidence show that LANGER did not become Governor until the first part of 1937?

Mr. MURDOCK. That is correct.

Mr. CONNALLY. And that he had been Governor, but had been ousted?

Mr. MURDOCK. That is correct.

Mr. CONNALLY. Is there not abundant proof that the negotiations in connection with the refinancing, and so forth, required a great deal of time? Therefore, if a refinanced bond were sold in the early part of 1937, the presump-

tion is that the negotiations with the counties had occurred long prior thereto, and were bound to have occurred long prior thereto; is it not?

Mr. MURDOCK. I think that is a reasonable presumption. Stangler stated it as a presumption, but I do not believe the majority report agrees with him.

Mr. CONNALLY. The record shows that the negotiations were going on for a considerable period of time.

Mr. MURDOCK. I have read into the record evidence from Mr. Stangler's testimony that, in his opinion, Brewer had the bond issues "sewed up."

The question was asked:

As much as 2 years before?

He replied:

Yes.

Mr. CONNALLY. Let me ask the Senator a further question. Does not a reading of the whole record in regard to the resale of the bonds demonstrate the fact that, inasmuch as the counties which originally had the outstanding warrants and outstanding certificates of indebtedness which were about to mature were buying short-term paper, and the State was unable to take them up, of course their salability was reduced, as was their value? Through Brunk and Brewer, however, or anyone else, by a refunding process of collecting the certificates and spreading them out over a longer period, not only could the interest rate be reduced—and apparently it has been forgotten that the interest rate, which on most of the certificates of indebtedness and warrants was 7 percent, was reduced to 4 percent, a reduction of which the counties and the State got the benefit—but what had been an unsalable bond was made a highly attractive investment, and that fact is responsible for the enhanced value when the bank bought the bonds.

Mr. MURDOCK. Yes; and in Mr. Duffy's testimony we find that very statement, that every county improved its condition under the refunding operation.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield to the Senator from Vermont.

Mr. AUSTIN. I think that in passing we should keep the record straight about the claim made on this subject in the majority report.

Mr. MURDOCK. I think so, too.

Mr. AUSTIN. It is only for that purpose that I rise; I did not want to interrupt the Senator.

Mr. MURDOCK. The Senator from Vermont has interrupted me very little, and I know of no Senator in the Chamber by whom I should prefer to be interrupted.

Mr. AUSTIN. I thank the Senator very much.

The claim is made that during the administration of Senator LANGER, throughout the period from January 1, 1937, to January 1, 1939, he had a power which could have interfered with or stopped the sales at any time; and that claim was coupled with Mr. Brunk's testimony, appearing at page 208 of the hearings, in which he said that the fourth basis of his

planning to employ people and pay them, when he paid funds or benefits which were not attorneys' fees, was as follows:

Fourth, you have to keep everybody else in agreement with you, that will not upset you while you are trying to do it.

That is the claim contained in the majority report, and I want that understood as we pass over this phase of the case.

Mr. MURDOCK. Of course, the only way I can construe the majority report is by a reading of the report itself. The distinguished Senator from Vermont states that Governor LANGER had a veto power which he could have used at any time to stop the sales. I desire to know if there is any evidence in the whole record to show that Governor LANGER or any other Governor of North Dakota could have ever interfered with the sale of county bonds.

Mr. AUSTIN. Mr. President, will the Senator yield again?

Mr. MURDOCK. I shall yield in a moment.

It may be true, Mr. President, that Governor LANGER when serving as a member of a State agency could have refused to buy bonds in cases in which some profit was involved; but I do not know of any bond brokers who are buying bonds at a discount and then selling them, for their health. They do not operate that way.

What I regard as one of the most important points is the fact that Senator LANGER, as Governor, had absolutely no control over the actions of boards of county commissioners in their dealings with bond brokers; and especially was that true prior to the time when LANGER became Governor; and, in my opinion, Brewer had every bond transaction with county boards tied up, before Senator LANGER ever became Governor of North Dakota.

Now I yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, my recollection is that the evidence sets forth a law giving to a commission of the State of North Dakota—a commission of which the Governor is chairman—absolute control over every single bond sale made by anyone, particularly by the municipal organizations, to the various State agencies. Of course, the law did not directly interfere as between the county commissioners and the brokers; but it did indirectly interfere, because it gave the veto power over the sale to the agencies to whom the brokers had to go, and did go, to make the sales.

Mr. MURDOCK. I am not sure that the Senator quotes the law as it is. I believe that on some boards the Governor, as a member of the board, has the power to stop sales by brokers to the State agencies; but, Mr. President, can we convict Senator LANGER on that kind of a ground unless Senator LANGER, as Governor, was able to step in, preclude, and prohibit the county commissioners from selling their bonds to brokers? Then, how in the name of common sense, could he have stopped Brewer from dealing with the county boards he dealt with?

Let us admit that as Governor of the State Mr. LANGER did have the veto power,

but the counties had agreed to sell their bonds and had sold them before Brewer could offer them to a State agency, and at a discount to Brewer. Brewer sold the bonds belonging to him. Then, ask any Member of the Senate if it would have been good judgment, good procedure, good practice, to say to a broker, simply because the counties had made with him a deal which was profitable to him, that there was no sale for such bonds to a State institution in North Dakota? To me, it is preposterous to blame the Governor of a State for what county commissioners may do.

But the charge in the majority report is—and I go back to it—

But in those cases the evidence shows that later on, after Brewer had purchased these bonds from the counties at a discount, he was able to sell to the bank, or some of the other State institutions, these very same bonds for par value.

It is true that he sold them at par value, but the question arises, was there any power vested in Governor LANGER to stop him from buying from the county commissioners? We must also consider in this matter the fact that Brewer, as stated later on by Mr. Brunk from whose testimony I will read, had then in his possession as the owner, as I recall the figures, over a million dollars worth of these certificates of indebtedness in warrants. Could any county that wanted to refund its bonds refund them without taking into the picture Brewer who was the owner of a million dollars' worth of certificates and warrants that had to be refunded? If such a thing could be done, I should like to have someone tell me how it could be done, and where is the evidence to support the contention that it was done?

Next, Mr. President, we come to the fourth county on the list, which is Ward County. Is there any evidence that any Senator wants to submit that Ward County ever offered to sell direct to the State institutions, and could not do it, but later Brewer did it for them? I do not think there is any such evidence. Referring to Ward County, I call particular attention to the testimony of Mr. Brey, auditor for Ward County, given to the investigators, on page 349. Let us see what Mr. Brey says about what they did in that county. I quote the following, Mr. Smith asking the questions:

Mr. SMITH. State your name.

Answer. Fred M. Brey.

Question. May we have your age, and you are presently county auditor of Ward County?

Answer. I am 53 years old, presently auditor of Ward County.

Mr. Hood—

Mr. Hood was one of the investigators—

Question. How long have you been auditor?

Answer. Since April 1937.

Question. Did you hold any political office prior to that time?

Answer. No, sir.

Question. That is an elective office?

Answer. It is.

Question. How many bond issues does Ward County have outstanding?

Answer. I think there are three right now.

Question. Three right now? Do you recall the date of such issues?

Answer. Well, the dates of the—see, this one would be submitted about 2 months ago, that would take care—that took care of two old ones, I think.

Question. Well, we are not so much interested in that one 2 months ago as we are the first one.

Answer. You mean—oh; the old ones, then?

Question. Yes.

Answer. Well, there was a 1923 issue, and then there was a '35 issue and a '37 issue.

Mr. SMITH. The '35 and '37 would be the ones.

Answer. Those are the ones you are interested in?

Mr. SMITH. Yes.

Mr. Hood. What was the amount of the '35 issue?

Answer. Was that \$250,000 or \$150,000?

The amounts changed materially from the time the application was made until the bonds finally went through.

Mr. Hood. (Hands paper to witness.)

Answer. This \$195,000—that '35 issue was \$195,000.

Question. And the '37 issue was what?

Answer. The '37 issue you see was \$213,000, it was originally started for \$275,000, but by the time we got both sides around, got everything lined up for it, why, we reduced the amount necessary, you see?

Question. Now, were both of those deals or transactions arranged prior to your coming into office?

Answer. Yes; they were.

Question. But part of them were completed after you came into office; is that correct?

Answer. Well, the only thing there was left to do was for me to sign the bonds and make delivery to the Bank of North Dakota.

Question. Now, then, to whom were those bonds sold?

Answer. They were really sold to Brewer.

Question. V. W. Brewer & Co., of Minneapolis?

Answer. That is right.

I now refer to the testimony of Mr. Stangler himself, and I quote from page 330 of the testimony in the hearings, that is the green book:

Ward County I personally turned down, and they telephoned; they called in by long distance. It was only 2 years before—I think it was either in 1935 or 1936—that they had sold a bond issue. We did not buy it. I remember they were trying to sell those bonds. I knew that Ward County had heavy expenditures and a great amount of other securities outstanding, and I turned them down. As far as I know, I guess the bank never did buy any of their bonds. I think Mr. Brewer handled the previous issue.

Senator LUCAS. What county is that you are talking about, Mr. Stangler?

Mr. STANGLER. Ward County. I think Mr. Brewer handled that issue.

That is the evidence as to Ward County.

Next we come to Divide County, in the evidence of Mr. Feil, the county commissioner of Divide County, which is found at page 603 of the record in the box which is in the cloakroom. I quote as follows:

Mr. Hood. What are your initials?

Answer. A. Feil.

Question. You reside at Fortuna?

Answer. Yes.

Question. You are a commissioner of Divide County?

Answer. Yes.

Question. And you have been since how long?

Answer. Since January 1, 1933.

Question. And you were on the commission, or one of the commissioners when the bond issue of 1937 was put through, is that correct?

Answer. Was it 1937?

Question. Yes, sir; I am sure.

Answer. That was the last issue?

Question. That is right.

Mr. SMITH. Three hundred and fifty thousand dollars.

Answer. Yes.

Mr. HOOD. And those bonds were refunding bonds on an old issue; is that correct?

Answer. Refunding bonds, and also I think it included the purchase of one.

Mr. SMITH. Refunding of the debt?

Answer. Refunding of the debt.

Mr. HOOD. And the county contracted with V. W. Brewer to take over the job of gathering up the old outstanding bonds and warrants and debts and disposing of the new bonds; is that right?

Answer. Yes.

Here we have undisputed testimony which, in the minds of the Senators submitting the minority report, is full and sufficient and conclusively shows that the entire Divide County transaction out of which Messrs. Brewer and Brunk made a part of the \$300,000 gross profit alluded to, took place before Mr. LANGER was Governor. Then we come to Sheridan County. Sheridan County is one of the counties mentioned in the Duffy report as having offered its bonds direct. With regard to that, I read from the testimony of Ben Kludt, the county auditor. In response to a question by Mr. Smith, Mr. Kludt said:

Answer. Not advertised bids as I recall, but the chairman of the board and I did make inquiries at the State land department of that year, whether or not it would be possible to float a bond issue with them, yes.

Question. Do you recall whether Senator LANGER was a member of that board?

Answer. No; I don't. My recollection as to whether he was then Governor or not—without calculating it—

Question. He was Governor and—

Answer. We didn't contact him. It was the land department itself, the heads of it. And they told us at that time—the first time I was there, they told me that it was contingent upon laws passed that session of the legislature. That could be possible, I think.

Question. That is right.

Mr. HOOD. Then, what did they tell you on the second occasion that you were there?

Answer. Well, I don't just know, but we didn't get any encouragement from it. I don't remember whether I was along the first or second time. We were together once, the chairman of the board was with me once and once I was alone. I might, to make that clear, I was there twice, but once the chairman of the board was with me.

It is important that I now call the attention of the Senate to the fact that the head of the Land Department, known as the Land Commissioner, was appointed by the predecessor and political opponent of Governor LANGER, who was Governor Welford. There is not one scintilla of evidence that Governor LANGER knew anything about it. Not only that, but that bond issue was not even bought by Mr. Brewer. I quote from page 712 of the testimony taken by the investigators:

Question. Did you talk with anyone associated with the Bank of North Dakota about the possibility of their taking over the bonds, or did any of the Commissioners that you know of?

Answer. I am not so positive about that just now. I am not—I couldn't tell you for sure whether I ever asked them or mentioned it to them, now, I am not positive.

Mr. SMITH. Do you recall who bought the issue?

Answer. H. E. Mueller, of Hazen. He is the man that made the entire deal, the bonds are made to bearer.

In this connection it is interesting to read the testimony of Mr. LANGER that Mr. Mueller was one of his political enemies. Still, of course, that is listed as one of the bond transactions on which Senator LANGER is accused, and for which, I suppose, it will be contended that he should be unseated.

We come now to the next county, namely, Grant County. Referring to the testimony of Mr. Stangler on page 330, we find:

Well, then, you refer down here to Grant County. That was a similar situation. Only 2 years before I had taken their entire bond issue to put them on a better basis. The bonds were still in the bank, when they were again ready for another bond issue, and I think we had in the interim loaned Grant County \$155,000 on certificates of indebtedness, which this report shows; and, of course, as I was concerned, I could not see that we could grant that county additional accommodations in the way of buying another bond issue when we already had one and, in addition to that, certificates of indebtedness amounting to \$155,000.

The next county is Burleigh, and I make the same offer now, that if there is any Member in the Senate who can point to any evidence that Burleigh County ever offered directly to sell its bonds and was refused, and then the bonds were sold by Brewer, I should like to know where the evidence is.

Now I come to the tenth county in the list, Rolette County, and I should like to be referred to any evidence in the record that the board of county commissioners ever offered the bonds of this county to the Bank of North Dakota or to any other State agency.

The next county is Dunn County. With reference to that we find this testimony of Mr. Stangler at page 1844 of the unprinted record:

Question. Did anyone from Dunn County approach you or anyone associated with the bank that you know of to try to sell the bank the bond issue of that time?

Answer. Yes; they were all in there; quite a lot of them were in there; I don't remember the incident, but I think they were there.

Question. You mean the commissioners?

Answer. Yes. In fact, I think the State's attorney was down with them, come to think about it. That is in the back of my mind.

It will be noted that this was while Mr. Stangler was still manager of the bank, and at a time when Senator LANGER was not in office as Governor.

Burleigh is the twelfth county. Mountrail is the thirteenth county on the list. With reference to Mountrail County, we have this evidence, quoting from page 671:

Mr. HOOD. I didn't quite understand what Mr. Glarum said in answer to the question of whether or not, prior to the time you made the deal with Brewer, you, or some of the commissioners, made a trip down and contacted the Bank of North Dakota, or some of the State agencies, to ascertain whether or not they would be interested in the purchase.

Answer. No; we did not; we didn't make any trip to the Bank of North Dakota; but they had talked with them and written to them, and, of course, we got information from Ward; I think, they were handling theirs.

Question. In their letters to you, did they say that they were not interested in purchasing the bonds?

Answer. I can't remember as to that—of course, for the most part we took it for granted; we followed the other counties; that was the principal part that we followed; the action of the other counties.

Question. Was it generally understood from following the bond transactions in other counties that the Bank of North Dakota and State agencies were not buying?

Answer. Were not buying; that is the way we understood—that the Bank of North Dakota wasn't buying bonds.

Question. Do you remember how you came in contact with Brewer?

Answer. No; excepting he came here; he was traveling through from other counties; that is all that I know of.

I wish to call the attention of the Senate particularly to the statement, "We got information from Ward."

Mr. Stangler was still manager under former Governor Welford, and, on his own testimony, turned down that issue of bonds.

Coming now to the fourteenth county on the list, Stutsman County, I again ask any Senator here, or any absent Senator, to produce any evidence that Stutsman County ever offered to sell directly to the bank, or to a State agency, which turned down the bonds, the bonds later being sold to Brewer.

The fifteenth county on the list is Mercer County. There is absolutely no evidence of anything such as that happening with reference to Mercer County.

We come now to the sixteenth county on the list, Bowman County, and there is no such evidence as to that county.

I come to the next county, Kidder County. There is absolutely no evidence in the record of Kidder County ever offering bonds directly to a State agency, and being turned down, and then being able to sell to Brewer.

The next county is Morton County, and I make the same challenge, to produce evidence as to Morton County ever offering an issue of bonds direct, and being turned down, and then being able to sell to Brewer.

With reference to Morton County, we find the following evidence of Mr. Stangler, as given on page 1850 to the investigators:

Question. Would you say the majority of the counties who had bond issues came to the bank?

Answer. I would say that invariably the poorer counties came, poorer counties generally came. The ones we wanted to get rid of. That is about the size of it. Cass County, Grand Forks County, they never come in. Stutsman County never come in. They could sell them readily, but these counties, like Grant County, Sioux County, we wanted to get rid of.

I now wish to read to the Senate some further evidence with reference to Morton County, which is listed here, testimony taken by the investigators, as it appears on page 1851 of the unprinted record:

They were always bad, they weren't bad, but they owed a lot of money.

That was from Mr. Stangler. I now direct the attention of the Senate to the testimony of J. R. Fitzsimmons, as it appears on page 2254 and following of the testimony taken by the investigators:

Mr. Hood. Please state your name and address.

Answer. J. R. Fitzsimmons, 503 Sixth Avenue NW., Mandan, N. Dak.

Question. And what is your occupation, Mr. Fitzsimmons?

Answer. I am a grocer.

Question. And are you presently one of the county commissioners?

Answer. I am the chairman of the Morton County board and have been for a period of 6 or 7 years, I imagine.

Question. And were you one of the commissioners at the time that your county here issued refunding bonds in December of 1937?

Answer. Yes.

Question. And the total amount of that bond issue was about \$650,000?

Answer. Around \$650,000; yes.

Question. What disposition was made of the \$102,000 worth of those bonds?

Answer. It was traded. I don't remember the exact, it was either 4½-percent bonds that the school land department had or some way secured and they traded those back to us for 2-percent bonds direct to the county.

Mr. President, I particularly call the attention of the Senate to the fact that the Bank of North Dakota, which has a capital of \$2,000,000, could hardly take this issue of \$600,000 with all its other obligations. Because this charge against Senator Langer is very important I am quoting practically the entire testimony of Mr. Fitzsimmons:

Question. And what disposition was made of the balance on them, both issues?

Answer. Mr. Brewer, too—

Question. Is that V. W. Brewer & Co.?

Answer. Yes.

Question. And he bought those bonds at a discount; is that correct?

Answer. I wouldn't say for sure. We had from 6-percent bonds down to 4, 4½-percent bonds, and refinanced them on this schedule you will find at the courthouse.

Question. I have that schedule.

Answer. That is the way he did, refinanced it the way these brokers do.

Question. Had you had any previous dealings with Mr. Brewer?

Answer. He refinanced—oh, I imagine the first or second year I was on, around 1933 or 1934.

Mr. President, I wish to say at this point that there is evidence—and we find the evidence replete in this unprinted record, in the statements of the county commissioners and the auditors—that Brewer had been dealing with these counties for years previous to the time that Governor Langer was Governor the second time.

Question. And were those certificates of indebtedness at that time rather than bonds?

Answer. No; they were bonds. We had around \$300,000, I imagine—that is, just as I remember it—around \$300,000 worth of warrants out and then was the hard years, and then we had around \$300,000 or \$250,000 worth of certificates and bonds and stuff like that out and he refinanced the whole thing, and we put it in a bond issue.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. ELLENDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barkley	Gurney	Reed
Bilbo	Hayden	Reynolds
Bone	Herring	Rosier
Brewster	Holman	Russell
Brooks	Hughes	Schwartz
Brown	Johnson, Calif.	Shipstead
Bulow	Johnson, Colo.	Smathers
Burton	La Follette	Smith
Butler	Langer	Spencer
Byrd	Lee	Stewart
Capper	Lucas	Taft
Caraway	McCarran	Thomas, Idaho
Chandler	McFarland	Thomas, Okla.
Chavez	McKellar	Thomas, Utah
Clark, Idaho	McNary	Truman
Clark, Mo.	Maloney	Tunnell
Connally	Maybank	Tydings
Danaher	Mead	Vandenberg
Davis	Millikin	Van Nuys
Doxey	Murdock	Walsh
Ellender	Murray	Wheeler
George	Nye	White
Gerry	O'Daniel	Wills

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

Mr. MURDOCK. Mr. President, continuing to read from the testimony of Mr. Fitzsimmons, chairman of the County Commissioners of Morton County, I ask that all of his testimony included on page 19 of the document which I hold in my hand, which I am informed is a correct transcript of the testimony of Mr. Fitzsimmons contained in the unprinted record, be printed in the RECORD at this point, and also all of his testimony appearing on pages 20 and 20 (a) of this document.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

Question. And do you recall to whom the bonds were sold by Brewer?

Answer. I think they went through a Des Moines, Iowa, bank, if I remember right.

The Bank of North Dakota was made the fiscal agent, I mean where we paid and they went through.

Question. That is right. Prior to your sale of this 1937 issue to Mr. Brewer, had you or any of the Commissioners contacted Mr. Frank Vogel of the Bank of North Dakota with respect to purchasing the issue?

Answer. Not at that time. We tried to sell our warrants and our certificates, enough to bring us up—

Question. Yes.

Answer (continuing). We went through them that way and they didn't want any more North Dakota papers, or Morton County papers, they was carrying too big a load, what Frank told us.

Question. How long before the bond issue was that when you went to them?

Answer. I imagine about 6 months.

Question. And about that time of your issue, did you also talk to Mr. Langer about it?

Answer. I talked to Bill one time on refinancing Morton County and the same picture was in there.

Question. And what was his attitude towards—

Answer. He would have been tickled to take our paper for Morton County. He is a man from Morton County originally. If any of them would, he would have been glad to refinance any of these western counties or more or less Morton County because he came

from here once, but the only thing he could promise me at that time was if we could get refinanced and they couldn't handle our paper at that time that he would try to use the \$102,000 worth of bonds at a figure that we could operate on.

Previous to that time, maybe before, the board of administration held around \$100,000 and some odd thousand dollars' worth of county warrants out a year and a half to two years.

They did see Mr. Langer at that time and he recommended to the board, in the condition that Morton County was, that when he refinanced the first time that he would recommend to the board to take at par value the original amounts written against the warrants less interest and he did that for us.

Question. About how long prior to your contract in 1937 with Mr. Brewer did you contact Mr. Langer on this subject?

Answer. Oh, I would say 3 to 6 months.

Question. And the \$102,000 worth of bonds that went to the school land department, they were transferred at par, is that correct?

Answer. They were transferred at par. A direct sale between the State and county.

Question. Didn't Mr. Brewer handle the transfer?

Answer. No; that went direct, that was one of the conditions Mr. Langer—that is one of the conditions, the delivery went through a broker, but that was a straight exchange.

Question. Straight exchange but it went through him?

Answer. I imagine that was put through him; yes.

Question. Yes; because that is what the record shows.

Answer. I imagine that is the way it was put through.

But Mr. Langer at the time, I remember he was chairman of the school university at that meeting that he would take those \$102,000, a direct deal between—no commission on that at all.

He happened to be Governor and chairman on the board. I know he had me on the carpet for 30 minutes.

Question. Do you know anything about the facts made against Mr. Langer?

Answer. In what light; on finances and all that?

Question. Yes.

Answer. Well, only hearsay, what I seen through the papers.

Question. You have read something of the charges in the paper?

Answer. Oh, yes.

Question. Is there anything you have of your own knowledge that you would like to give us about that might tend to either prove or disprove those charges?

Answer. Well, I don't know. I never gave it a whole lot of thought. I have always been, I have always known BILL LANGER and I have heard a hell of a lot about him. Everybody has been going around and saying something about him or for him.

Every transaction we had with Morton County and BILL LANGER, while he was Governor, was all right.

I never paid; I have heard everything. A man in public life, so many men in public life, are criticized, and they say this and that about them, but they have a hell of a time proving them things, but so far as Morton County is concerned or so far as the dealings that Morton County has had while he was Governor, that is the only time he was on, and the only thing I have heard; I never paid him anything, and over here in Morton County he gave us a right deal and made us toe the line one way or the other.

Question. All right, sir. I think that is everything we want to ask you.

Answer. Personally, I have known BILL LANGER from the time he was attorney general here or State's attorney until he hit the Sen-

ate. Personally, I have known and I have heard him criticized, but two-thirds of the stuff I never believed.

Question. Did you ever make any investigation of your own to determine whether the criticism was justified or not?

Answer. In our county I have.

Question. What investigation?

Answer. Oh, that last woman deal, and I found out a lot of people that said that was all a frame-up, and then after the other deal—I don't know. I don't know only from just what I asked different fellows and different fellows and different little things that happened that come up in county business, and I was satisfied in my own mind as far as Morton County was concerned he was clear with us.

I never was a Langer man personally, didn't matter, but I really like to give the devil his dues when he has got it coming. He has always been very fair to Morton County in my estimation. I have heard a lot about him I never paid them much heed.

If that is true what they said about him, maybe it is true, I don't know. What happened in other counties didn't happen in our county, whatever it was.

Mr. MURDOCK. Mr. President, at this point I desire to call the attention of the Senate to the fact that the evidence in connection with Morton County is the only evidence which I find in the record showing that a member of a county commission went directly to Senator Langer in order to sell part of the bond issue of his county. In this instance Senator Langer cooperated and did everything he could to help the county; and the bonds which were bought by the board—a board of which Senator Langer was a member—were bought without any commission being paid to any broker whatsoever.

I also call to the attention of the Senate the fact that Mr. Fitzsimmons in his testimony praised the action of Senator Langer in connection with his treatment of that county.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. AUSTIN. I do not quite understand what the Senator claims with respect to Morton County. On page 97 of the subcommittee report I find that according to the figures and information furnished by the several county auditors and the Bank of North Dakota, the amount of commissions from Morton County sales in 1 year, which I think was the year 1937, was \$49,892.

Mr. MURDOCK. From what page is the Senator reading?

Mr. AUSTIN. From page 98, not of the committee report, but of the subcommittee report. Does the Senator question that statement?

Mr. MURDOCK. Oh, no; I do not question it for a moment. The point I make is that the record shows that Mr. Fitzsimmons, chairman of the county board of Morton County, directly consulted Governor Langer in connection with a part of the issue of that county; and Governor Langer, who was a member of the board of university and school lands, told him, "Yes; we will do everything we can for you in this matter." As I understand, there was an agreement to buy \$102,000 worth of the bonds from Morton County, but with the express

provision that no commission be paid to any broker.

That is the one place in the record where I find Senator Langer being directly consulted or having anything to do with a direct offer of a county. Also in Mr. Fitzsimmons' testimony will be found the following statement, which I desire to read:

Question. Is there anything you have of your own knowledge that you would like to give us about that, that might tend to either prove or disprove those charges?

That is, the charges against Governor Langer in connection with the bonds.

Mr. Fitzsimmons' answer was as follows:

Answer. Well, I don't know. I never gave it a whole lot of thought. I have always been, I have always known BILL LANGER, and I have heard a hell of a lot about him. Everybody has been going around and saying something about him or for him. Every transaction we had with Morton County and BILL LANGER while he was Governor was all right.

That is the chairman of the Board of County Commissioners of Morton County. I read further from his testimony:

I never paid. I have heard everything. A man in public life, so many men in public life, are criticized, and they say this and that about them but they have a hell of a time proving them things, but so far as Morton County is concerned or as far as the dealings that Morton County has had while he was Governor, that is the only time he was on, and the only thing I have heard; I never paid him anything; and over here in Morton County he gave us a right deal and made us toe the line one way or the other.

Then the question of the investigator is:

Question. All right, sir. I think that is everything we want to ask you.

I do not know whether this is significant or not. The county commissioner was speaking favorably of Governor Langer, and the investigator concluded that that was everything he wanted to ask him, at least, at that time.

However, Mr. Fitzsimmons continued his testimony, and volunteered something else.

That brings us down to the last county in the list—McKenzie County. Again I suggest to any member of the majority of the committee that I should like to know if there is any evidence in the record with respect to McKenzie County to show that its board of county commissioners offered to sell its bonds directly to the State bank or to any other State agency, that they were turned down, and that then Mr. Brewer was able to sell the bonds.

I particularly desire to call the attention of the Senate to the testimony of Mr. Arne Tollefson, county auditor, as given to the investigators, starting on page 646. I call attention to the fact that bonds were issued in the amount of \$402,000. Apparently, realizing that the Bank of North Dakota with its \$2,000,000 capital and with the demands upon it from hundreds of school districts and townships and from other sources would be unable to finance the entire issue, they asked that the State, either through the bank or the board of university and

school lands, take \$37,000; that is, the entire issue was first sold to Mr. Brewer, and when the Bank of North Dakota took the \$37,000 worth under Governor Langer's administration, according to Mr. Tollefson, we find the following on page 648. I ask, Mr. President, that the evidence of Mr. Tollefson, on page 21 of this document and on pages 22 and 23, be inserted in the Record at this point.

The PRESIDING OFFICER (Mr. SPENCER in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Mr. HOOD. Now, then, those bonds which were sold directly to the—or, first, were those bonds which you first mentioned, the \$37,000 issue, sold directly to the Bank of North Dakota?

Answer. Yes; they were.

Question. And at what price were they sold?

Answer. Well, now, let me see—they were sold at par, as I recall it.

(From page 651 of Mr. Tollefson's testimony.)

Answer. Then, in addition to that, there was another complementary arrangement by which, after this resolution was adopted, we withdrew the funding of some of these—of this amount to the extent that we sold \$50,000 of warrant funding bonds to the State land department at Bismarck.

Question. State land department at Bismarck?

Answer. Yes.

Mr. HOOD. What interest rate did those carry?

Answer. They carried four.

Question. Four percent?

Answer. Yes.

Question. And they were sold to the land department at par?

Answer. At par; yes, sir.

Question. Now, then, prior to the time that this transaction was consummated with Mr. Brewer, was the Bank of North Dakota or any other State department contacted as prospective purchasers of these bonds?

Answer. Yes, sir.

Question. Which of the State departments were contacted, as you recall?

Answer. The State land department and the Bank of North Dakota.

Mr. SMITH. And both of them took some?

Answer. Took some; yes.

Question. Thirty-seven thousand and fifty thousand?

Answer. Yes.

Question. That is 87,000?

Answer. It is a long story, and I was there personally, and tried to make some of those arrangements with those departments.

Mr. HOOD. Who did you talk to at the Bank of North Dakota?

Answer. I talked to Mr. Stangler; R. M. Stangler, manager.

Question. Was he manager at that time?

Answer. Yes, sir; of the credit department.

Question. Of the credit department; and Mr. Vogel was manager of the bank?

Answer. Manager of the bank.

Question. And what did Mr. Stangler tell you with reference to the bank's purchasing the issue?

Answer. Well, I cannot recall.

Mr. SMITH. In substance.

Mr. HOOD. I mean just in substance.

Answer. In substance?

Mr. HOOD. Surely.

Answer. Well, he thought it would be; the bank couldn't handle it directly for the whole issue, and that was out.

Question. In other words, he was agreeable to taking 37,000 directly, but he couldn't handle it directly for the whole issue?

Answer. No; he couldn't handle the whole issue.

Question. Now, who did you contact with the State land department?

Answer. Oh, I met with the board of university and school lands.

Question. And who was present representing the State on the board there?

Answer. Governor Langer.

Question. Governor Langer?

Answer. Yes; he was the chairman of the board of university and school lands, and Mr. Thompson, who was the superintendent of public instruction and a member of the board; Berta E. Baker, State auditor; James E. Gronna, secretary of state. And I talked to the secretary of the board of university and school lands—I can't recall his name for the moment; Ole Stray.

Question. And what response to your approach or request did you receive from the board?

Answer. Well, they finally agreed to take 50,000. We asked them to take 85. And then the bank taking the 37,000, that would fund all our outstanding warrants that we needed to fund or could fund at that time. So we worked out the proposition between those departments and the Bank of North Dakota and the V. W. Brewer Co.

Question. Now, there were 50,000 to the State land department and 37,000 to the Bank of North Dakota?

Answer. That is right.

Question. Making a total of \$87,000?

Answer. That is right.

Question. Now, then, was all of that \$87,000 that went to those departments a part of this \$402,000 issue?

Answer. That is right.

Mr. MURDOCK. Now, Mr. President, I desire to read from Mr. Stangler's testimony on page 331 of the green book, the printed record:

Mr. MURPHY. And whatever you did in the prior years, you used your own independent judgment?

Mr. STANGLER. That is right.

Mr. MURPHY. In 1933 and 1934, for instance, when Governor Langer was in office?

Mr. STANGLER. Yes.

Mr. MURPHY. Now, in 1937 Mr. Vogel became the manager?

Mr. STANGLER. That is right.

Mr. MURPHY. But you remained there?

Mr. STANGLER. That is right.

Mr. MURPHY. We might put it this way: He was the boss, the ultimate man who would decide?

Mr. STANGLER. That is right.

Mr. MURPHY. But he did confer with you on practically all of these transactions, did he not?

Mr. President, in my opinion, the answer of Mr. Stangler on the question whether Governor Langer used any influence on Mr. Stangler or Mr. Vogel in the purchase of bonds by the bank is very important. His answer was:

Mr. STANGLER. Well, as I mentioned before, these county boards invariably came to me first. I had my desk out in the open. My secretary was next to the rail, and Mr. Vogel had his office enclosed, and invariably they would come in and I would take them in to meet the manager.

Mr. MURPHY. Did you participate in the conferences?

Mr. STANGLER. At times; yes.

Mr. MURPHY. Did you concur in any refusals that were made on behalf of the bank?

Mr. STANGLER. I concurred in every one of them, I believe.

So, we have Mr. Stangler, who is praised in the majority report as a man entitled to confidence, saying, according to the printed testimony, that invariably

the county commissioners came to him in the bank because his desk was in the open and that he would take them into Mr. Vogel.

Then he was asked if he concurred in the refusals of Mr. Vogel to handle directly county bonds, and his answer is—

I concurred in every one of them, I believe.

I think it would be well, Mr. President, although I do not want to read it, to insert in the RECORD the remainder of page 331 of the printed record and all of page 332, which is the evidence of Mr. Stangler as to his activities in the bank.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Mr. MURPHY. You concurred in every one of the refusals?

Mr. STANGLER. Refusal of the bond issues?

Mr. MURPHY. Yes; I am speaking of that.

Mr. STANGLER. Well, of course, Mr. Murphy, there were some things—now, Mr. Duffy's report is substantially correct.

Mr. MURPHY. As to detail?

Mr. STANGLER. Yes; but there are some things in here that are not quite as it appeared at the time. For instance, now, Adams County came in. They are a very fine little county. They have good commissioners, they have a good auditor. I think I had loaned the county some \$60,000 off and on, and the auditor came in and wanted to know whether we would not buy the bond issue. I told him if he would wait a little while that in all probability I could handle those bonds, because I knew they were in good shape, but I said, "I don't like to do it right now." The next thing I knew, Mr. Mueller went out there and had signed up the county, which was an easy matter as I believe in 1935 a funding law was passed that it was quite easy for anyone to sign up a county to take their funding bonds, and Mr. Mueller at that time went out and got the bond issue.

Mr. MURPHY. That is M-u-e-l-l-e-r, Mueller?

Mr. STANGLER. Yes. And there were several others that I talked to. I told him that we could not handle the entire issue. I said it was a question of a few bonds, and if it was a question of the shorter maturity bonds, that we might be able to handle a few of them. But the way it stood, and we had just gone all through this, as far as I was concerned, if we had to carry the county through the current obligations, that is, pay salaries and other bills, there would not be any difficulty, but I certainly did not want to have trouble on bond issues any more, if there was any way of getting away from it.

Mr. MURPHY. Are you familiar with some of the bonds that Mr. Brewer, or V. W. Brewer & Co., serviced with these various counties, these refunding bonds, so-called?

Mr. STANGLER. For instance, what counties?

Mr. MURPHY. Well, take Mercer County, for instance, as it is set up here. The general proposition I want to get from you, if I can, is that you are aware of his plan or method of refunding these outstanding county obligations?

Mr. STANGLER. Yes, sir.

Mr. MURPHY. Sufficiently acquainted with that method and with the financial conditions prevailing in the counties affected so as to have an opinion as to whether or not the services rendered by Mr. Brewer were valuable to the county?

Mr. STANGLER. Well, they certainly had to put their securities into a funding bond if they were going to continue and expect help from the Bank of North Dakota or the local banks were going to take their certificates. They just could not keep on issuing registered warrants and certificates of indebtedness. There was not any question that the county should refund.

Mr. MURPHY. In your opinion, after these refunding operations that have been testified to in this proceeding by Brewer & Co., was their financial condition in better order than it had been before?

Mr. STANGLER. Oh, there wasn't any question about that.

Mr. MURPHY. There had been a tremendous reduction in interest charges, had there not, as a result of that?

Mr. STANGLER. Well, here is about the way you would have to analyze that, Mr. Murphy: A county like Mercer, while they paid 7 percent, with the prospect of crops and the indebtedness, it was too much for them to pay. There was not any question about that. And yet, on the other hand, it would be pretty hard to sell the 4-percent bonds. It was a cheap rate for that country, but it certainly bettered their position, there is no question about that.

Mr. MURPHY. Difficult to sell 4-percent bonds of that county because of their financial rating and standing; is that true?

Mr. STANGLER. That is right.

Mr. MURPHY. And that is true of a number of these other counties mentioned in the Duffy report?

Mr. STANGLER. Well, there was not any particular market for it. There was, but it was pretty hard to find it.

Mr. MURPHY. And, if it was, was it not largely created by Mr. Brewer and his efforts?

Mr. STANGLER. Well, yes; he and his associates, as I understood it. Many of these deals were handled with other bond companies in the cities—Wells-Dickey, Kaiman, Allison-Williams.

Mr. MURDOCK. I desire to read, Mr. President, from page 343 of the record:

Mr. BURKE. Are the brokers doing business there now, buying up county bonds at a discount and disposing of them quickly to the bank?

Mr. STANGLER. I could not tell what they have done in the last 2 years. I have not been there since the last 2 years.

Mr. BURKE. Mr. Vogel is the manager now?

Mr. STANGLER. Yes.

Mr. BURKE. I assume he will undoubtedly be here to explain some of the matters, such as the exhibit that was offered a few moments ago that no one seems to understand. I will not press that.

Mr. MURPHY. I think we understand it without any difficulty.

The point I desire to make is that if Mr. Burke, as counsel for the petitioners, had any question about Stangler's evidence, or if he thought it was important to bring Vogel to Washington—and he said in the record that he assumed Stangler would be here—why did he not bring him? It may be asked of me, Why did not Senator Langer request that Mr. Vogel come to Washington. I do not know; but I do know that when the petitioners come here and challenge a man's right to a seat, in my opinion, in fairness and under the legal procedure in the United States, the burden is on the accuser to prove his accusation by clear and convincing evidence; and I think we can rightly and correctly add "beyond a reasonable doubt."

In the majority report much credit is given and much weight likewise to the Duffy report. I call attention, Mr. President, to the testimony of Mr. Duffy. I ask that pages 143 and 144 of the printed record of the committee be inserted in my remarks at this point.

The PRESIDING OFFICER. Without objection it is so ordered.

The matter referred to is as follows:

Mr. MURPHY. As a matter of fact, is it fair to say that these bond transactions, so-called, had been the subject of political discussion throughout the State for some time?

Mr. DUFFY. That is right.

Mr. MURPHY. They were one of the issues of the campaign?

Mr. DUFFY. That is right.

Mr. MURPHY. And discussed by various political orators over the radio and elsewhere?

Mr. DUFFY. That is right.

Mr. MURPHY. During the campaign?

Mr. DUFFY. Yes.

Mr. MURPHY. You have lived in North Dakota a long while?

Mr. DUFFY. I was born there.

Mr. MURPHY. You were; and that would be a long while?

Mr. DUFFY. That would be a long while.

Mr. MURPHY. You know that for a number of years prior to 1937 in the western part of the State particularly—by western I mean most of the territory west of the Red River Valley—was in bad shape financially?

Mr. DUFFY. No question about it.

Mr. MURPHY. There were many crop failures?

Mr. DUFFY. That is right.

Mr. MURPHY. The people, the taxpayers generally, and particularly the farmers in these counties, were unable to and were not in fact paying their taxes?

Mr. DUFFY. That is right.

Mr. MURPHY. Various counties in the State, in order to keep on functioning, were required to and did issue what are known as warrants against uncollected taxes?

Mr. DUFFY. That is right.

Mr. MURPHY. And the legislature set up a device whereby they could, in addition to that, issue a new form of indebtedness called certificates of indebtedness, which could be issued against the 4 preceding years of uncollected taxes?

Mr. DUFFY. That is right.

Mr. MURPHY. Many of these counties had outstanding large amounts of both warrants and certificates of indebtedness by, or prior to, 1937?

Mr. DUFFY. Yes, sir.

Mr. MURPHY. In other words, they were all in bad financial condition?

Mr. DUFFY. That is right.

Mr. MURPHY. And these warrants and certificates, as a rule, drew 7 percent interest?

Mr. DUFFY. About 7 percent interest.

Mr. MURPHY. Now, in 1937, when this bonding law was passed, that you referred to it was done for the purpose of permitting these counties to refund these outstanding obligations by long-term bonds without the necessity of submitting the question to popular vote?

Mr. DUFFY. That is right.

Mr. MURPHY. You discovered that they did, quite a number of them, respond and refund all of those high-interest-bearing certificates and warrants?

Mr. DUFFY. That is right.

Mr. MURPHY. And some old bonds that they had outstanding?

Mr. DUFFY. Many times they included old bonds that they were unable to pay.

Mr. MURPHY. In other words, the counties set in proper order their fiscal affairs, and got them all into one fund?

Mr. DUFFY. Well, that is a little optimistic. They improved their condition, but I would not say they got them into good shape.

Mr. MURPHY. Well, at least they improved their condition?

Mr. DUFFY. They improved it.

Mr. MURPHY. You will say the refunding bonds did improve their fiscal or financial condition?

Mr. DUFFY. That is right.

Mr. MURPHY. In other words, their interest rate was greatly lowered on the average?

Mr. DUFFY. The interest rate was on the average lowered from 7 percent to about 4 percent, I believe.

Mr. MURPHY. About 4—and the bonds themselves were long maturities, extended over quite a period of time?

Mr. DUFFY. Well, of course, they were serial bonds, but they would extend over a long period before the last one was paid.

Mr. MURPHY. And they were all callable at any interest date, were they not; didn't you investigate that?

Mr. DUFFY. I do not remember now. I suppose I knew at the time, but I do not remember now.

Mr. MURPHY. Did you take into consideration the question of whether or not any long-term bonds were callable at an interest-paying date, in determining the value of that bond on the market?

Mr. DUFFY. No, sir; I was not interested in the value of the bond. I assumed it had the same value when it was bought by Mr. Brewer as it had when it was sold by him. I was interested in the commissions only.

Mr. MURPHY. That matter you never took into consideration at all?

Mr. DUFFY. No, sir.

Mr. MURPHY. Now, you say you started with Ward County?

Mr. DUFFY. That is right.

Mr. MURPHY. First, let us clear one or two of these matters, because these gentlemen are not familiar with North Dakota. I take it—probably don't want to be after what they have heard. How many counties are there in North Dakota?

Mr. DUFFY. I believe it is 53.

Mr. MURPHY. And each county is an independent political unit, isn't it, as to its fiscal matters?

Mr. DUFFY. That is right.

Mr. MURPHY. And the fiscal officers of each county are known as a county board of commissioners?

Mr. DUFFY. That is right.

Mr. MURPHY. They have complete control of all of the fiscal affairs of the county?

Mr. DUFFY. Right.

Mr. MURPHY. Now, you told us something about these other funds. There is a workmen's compensation commission there, is there not?

Mr. DUFFY. That is right.

Mr. MURDOCK. I desire now to call the attention of the Senate to the absolute and unqualified statement of Clyde Duffy in response to a question asked him. It seems to me to be one of the most important pieces of evidence in the record. I read from page 147:

Mr. MURPHY. Did he say with what individual he had had contact?

Mr. DUFFY. I do not believe so.

Mr. MURPHY. There was no statement that he had at any time gone to Governor LANGER about it?

Mr. DUFFY. No.

Mr. MURPHY. Not at any time?

Mr. DUFFY. No.

Mr. MURPHY. Did any of these auditors—

Mr. DUFFY. There is not a single case they told me they had gone to Governor LANGER.

I wonder if that means anything to the Senate? Governor Moses, of North Dakota, conducted his campaign on the issue that he would investigate the bond deals under Senator LANGER and bring him to time. He appointed Clyde Duffy as the attorney or agent to make the investigation. Mr. Duffy, politically, is what is known in North Dakota as an Independent Republican. He happens to be chairman of that group. Here is a statement over his name, "Clyde Duffy, Chairman." I do not desire to read the whole statement, but I read a paragraph

from the instrument which is dated March 30, 1936, and which is directed to the Independent Republicans of North Dakota:

A considerable number have expressed the view that the great issue in the Republican primaries will be Langerism. These feel that Welford should be supported, not because they agree with him politically, but because they feel his election would be less dangerous to the best interests of the State than the election of LANGER. This has been quite fully explained in several of the daily papers of the State.

So we have Governor Moses running on the issue of investigating the bond transactions and bringing the wrongdoers to the bar of justice. We have him, in compliance with that campaign promise, selecting Clyde Duffy to go out and do the job. We find Clyde Duffy, after he has done the job, testifying before the committee as to whether there was any evidence that county officers had gone together to LANGER. I desire to read the statement to the Senate again, to emphasize it. The question was by Mr. Murphy:

Did any of these auditors?

Mr. DUFFY. There is not a single case. They told me they had gone to Governor LANGER.

What more conclusive evidence does the Senate want on the charge that the county commissioners went to the boards of the State in an effort to sell their bonds direct, and were turned down by reason of the influence of LANGER? Then there is what Clyde Duffy says, that in his investigation there was not any evidence in a single case that any of them ever went to Governor LANGER. But, of course, we can imagine that they did, even in the face of the evidence of the investigator.

Mr. President, I call attention to the fact that there have been no prosecutions as a result of the Duffy report and the Duffy investigation, which began in 1939 and was completed and submitted to the Governor before the campaign of 1940. If Brunk and Brewer were guilty of bribing Governor LANGER, then I ask Governor Moses why he did not cause them to be brought back to the State of North Dakota and prosecuted?

The Senator from Illinois [Mr. Lucas] has said, "Of course, he did not know all about this thing." He was duty bound to know about it, and he carried on an investigation for a year and a half. But even though he did not know about the details, he has known about the fact since the Committee on Privileges and Elections have carried on their hearings, and I ask, Why has not Governor Moses, with the information which we have supplied, had Senator LANGER arrested under a criminal complaint, and why has he not had Brewer and Brunk arrested under a criminal complaint?

I call attention to the Duffy report from this angle, that many of the bond transactions were still pending, some of the bonds were still in the Bank of North Dakota, and I think some of them are still there today, held for delivery at the order of the purchasers of the bonds. Why has he not brought his ax down on those bonds and stopped any further transactions?

There can be no doubt that if Senator LANGER is guilty, he could not have operated through the Bank of North Dakota without the complicity and cooperation of Stangler and Vogel, and if the Duffy report indicated corruption on the part of LANGER, if it indicated any fraud in the purchase of bonds or in the refusal to purchase, then certainly Vogel and Stangler had to come into the picture. But instead of getting rid of Stangler and Vogel, Governor Moses has promoted Stangler to a higher position with the State Mill and Elevator. Vogel is still the manager of the great State Bank of North Dakota. Can the Senate find LANGER guilty of corruption and fraud, and at the same time conclude that there was no fraud or corruption on the part of Stangler and Vogel?

If there was fraud on the part of LANGER and fraud on the part of Vogel and Stangler, then I wish some one would explain to me why they are both still in office under an antagonistic Governor, under a Governor who threatened to bring LANGER to the bar of justice because of these bond transactions. Why are Stangler and Vogel still holding high office under Governor Moses?

Mr. AUSTIN. Mr. President, if the question is directed to me, I would answer that it is probably because there are three elected members of the industrial commission, and that two of that commission, the Governor being the chairman, are Attorney General Strutz and Matt Dahl, commissioner of agriculture. The Senator probably remembers the testimony with reference to the affiliation of the two last-named persons with Governor LANGER.

Mr. MURDOCK. Yes; and now the Senator brings me to a very important point on which he said he depended in coming to the conclusion he reached. He tells us, Mr. President, that the Governor has a veto power on the industrial commission. The industrial commission appoints the manager of the bank. If LANGER had the veto power, how about Moses? Does he possess it? When he came in as Governor, and a new man had to be appointed as manager of the Bank of North Dakota, if he had the veto power, why did he not exercise it and get rid of Vogel? Why did he not exercise it in the case of Stangler who was appointed manager of the State Mill and Elevator?

Mr. AUSTIN. Mr. President, the evidence which the committee accepted relating to this subject came directly from Mr. LANGER, in a book entitled, "The Non-Partisan League."

Mr. LANGER. Which was written 20 years ago; but the law has been changed.

Mr. AUSTIN. It was written a long time ago, I believe the Senator from North Dakota has just commented. On pages 34 and 35 of the book appears the following:

The Bank of North Dakota is placed under the industrial commission, consisting of the Governor, attorney general, and the commissioner of agriculture and labor. The Governor can veto anything which the commissioner of agriculture and labor and the attorney general may do. He is supreme. Without his consent, the other men elected can do nothing.

That is a statement which was brought into the evidence, and which appears at page 823 of the printed hearings. Mr. LANGER was on the witness stand a long time, and if it is not accurate—

Mr. MURDOCK. I do not say it is not accurate; I do not know whether it is or not; but how can the Senator from Vermont say that Governor LANGER could do all these things by reason of his veto power, and then rise and explain to me why Governor Moses could not remove Vogel?

Mr. AUSTIN. I think it is perfectly clear.

Mr. MURDOCK. What is the explanation?

Mr. AUSTIN. Vetoing an affirmative act of the commission is quite a different thing from performing an affirmative act of the commission. It takes a majority of the commission to do an affirmative act, whereas, on the other hand, it takes only a veto of the chairman to stop anything.

On the question of ousting Vogel or anyone else within the jurisdiction of the commission, the Governor does not, as I understand the testimony, have the power to act alone; he is not the whole commission. He cannot do an affirmative thing. He can veto a decision of the majority against him.

Mr. MURDOCK. If that can be done, how does the Senator explain that Mr. Vogel remains in office?

Mr. AUSTIN. In this way: There are two members of the industrial commission who will not agree to the expulsion of Mr. Vogel.

Mr. MURDOCK. Does the Senator get that from the record, or is that a matter of presumption or imagination?

Mr. AUSTIN. No; that is not imagination; it is reasoning; it is the effect of this power, and of the fact which appears, that these two gentlemen, Strutz and Dahl, are friends of Mr. LANGER.

Mr. MURDOCK. As I understand, the evidence is that Dahl is not a friend to LANGER, but that he is unfriendly. Certainly when a new administration comes in and a new appointment is to be made, I cannot believe that the Governor of the State could be thwarted in his selection of a new manager of a bank; but it seems, if that is important, that the committee did not go into it. We were willing, and it seems now that the Senator from Vermont is still willing, to indulge in reasoning and imagination and presumption, rather than producing the fact as to why Vogel is still there. Whether it is through reasoning or something else, we still have the fact confronting us that after nearly 4 years under Governor Moses, Mr. Vogel is still the manager of the bank, and there is no answer to the question about Mr. Stangler being promoted to a higher position.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. The Senator adverted to the fact that Governor Moses in his campaign had proclaimed what he was going to do to Governor LANGER when he became Governor, with respect to these bond transactions.

Mr. MURDOCK. I think there is no dispute about that.

Mr. CONNALLY. Does not the record show that Governor Moses appointed Mr. Duffy to examine into and investigate all the bond transactions?

Mr. MURDOCK. One of his first official acts was to appoint Mr. Duffy to do that.

Mr. CONNALLY. Mr. Duffy made the report, and there has never been any indictment; there has never been any action taken in the State courts with respect to these bonds, based on Duffy's report, or based on any move made by Governor Moses.

Mr. MURDOCK. That is true. I do not know whether the Senator was present when I read the evidence by Mr. Duffy.

Mr. CONNALLY. I have read all of Mr. Duffy's evidence.

Mr. MURDOCK. On page 147 of the hearings we find Mr. Murphy questioning Mr. Duffy about whether any of the county officers ever went to Governor LANGER in any of his capacities and offered any bonds for sale. This is his answer:

Mr. DUFFY. There is not a single case they told me they had gone to Governor LANGER.

Not a single case. Mr. Duffy, without any question, testified—and I think I have put it in the RECORD—that there was not a county which had refunded its bonds and had its interest rates of 6 or 7 percent reduced to 4 percent, that had not improved its financial condition under these bond transactions. That is in the Duffy testimony.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Is it true that the evidence shows that since Governor Moses went into office his administration purchased as much as \$100,000 of similar bonds from this same man, Brewer?

Mr. MURDOCK. Yes; I think from the same Mr. Brewer. There is evidence in the record to the effect that in connection with refunding and refinancing the State issues, Governor Moses appointed Mr. Brewer as the agent of the State to do the job. That is in the record.

Mr. CONNALLY. After he had in the campaign denounced Brewer and LANGER as being involved in these bond transactions?

Mr. MURDOCK. Yes; and I think after the Duffy report was submitted, then when the State wanted to do some refinancing Mr. Brewer was appointed as the financial agent of the State to do it.

Mr. CONNALLY. Under the Moses administration.

Mr. MURDOCK. Under the Moses administration. I understand there is question raised by some as to that point. The record, however, discloses that that is exactly what happened, and I intend to refer to it in a few minutes.

Mr. BONE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BONE. Is it a fact—and I assume it is—from the course the argument has taken—that Mr. Moses was elected governor in 1939?

Mr. MURDOCK. In 1938.

Mr. BONE. In the fall of 1938?

Mr. MURDOCK. Yes.

Mr. BONE. And that one of the issues of that campaign was this bond matter which has been discussed?

Mr. MURDOCK. Yes.

Mr. BONE. And that Governor Moses, as a part of his campaign, said he was going to make an issue of it in a legal way after he became Governor?

Mr. MURDOCK. That is correct.

Mr. BONE. That was 4 years ago, in 1939. We are now in 1942. Governor Moses had a report made to him by a man named Duffy?

Mr. MURDOCK. Yes.

Mr. BONE. Nothing has been done about it since?

Mr. MURDOCK. Nothing has been done about it; but, on the contrary, Vogel still remains the manager of the bank. Stangler has gone to a higher position as manager of the State Mill & Elevator Co.

Mr. BONE. What puzzles me is this: If it is something which is bad, it concerns the people of North Dakota. Are we to set ourselves up here as some sort of a defensive mechanism against something being done to the damage of the people of North Dakota, when the people of North Dakota are indifferent enough to let it ride and do nothing about it themselves?

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield to the Senator from Vermont.

Mr. AUSTIN. I ask the Senator from Utah if it is not his recollection of the record that the Duffy report, which was made to the Governor, came in October 1939 and referred only to the bond deal; that it did not contain any report whatever about the sale of land to a land company which Mr. Brunk owned, that is, the Realty Holding Co., and did not say anything about the sale of capital stock of the Mexican company to the attorney for a railroad company? Is that not true?

Mr. MURDOCK. I am sure the Duffy report does not refer to the Mexican land transaction, but I think it is just as fair to infer from the Duffy report that Duffy knew about the land transaction as it is for the Senator from Vermont to infer that he did not. Knowing the intelligence of Mr. Duffy, as exhibited on the witness stand; knowing his animosity to Senator LANGER; knowing that he was investigating for a governor who wanted to bring Senator LANGER to terms, the inference I draw from his report and from his testimony is that he could not connect LANGER with anything, or he would have mentioned it in the report.

Mr. AUSTIN. Mr. President, will the Senator yield further?

Mr. MURDOCK. I yield.

Mr. AUSTIN. Assuming the Senator to be correct, that the attorney specially employed for the purpose had an animus against Mr. LANGER, if he found the facts which were reported to the committee about the land deal and about the Mexican stock deal, which was a land deal, can the Senator account for his failure to report them?

Mr. MURDOCK. Can I account for Duffy's failure?

Mr. AUSTIN. Yes; if he knew of it, his failure to report it seems so unnatural that I cannot account for it on any theory.

Mr. MURDOCK. I call the Senator's attention to the fact that the record shows that in the campaign against Mr. LANGER the land transactions were referred to. I call to the Senator's attention the fact that the deeds with reference to many of the land transactions were on record, and that Brunk actually took possession of the land. I cannot infer, I cannot conclude that this intelligent, industrious investigator of the Governor overlooked all those points, but I do infer that, after knowing those things, he said not one word in his report to the Governor about them. I think it is just as reasonable, probably more reasonable, to arrive at the inference that Duffy could not connect the Governor with any of these bond transactions, and for that reason did not report them.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CHANDLER. I think it is important, because of the question asked by my friend, the Senator from Washington [Mr. BONE], to say that we may infer that these matters were discussed in the campaign and decided by the people of North Dakota. If it is a fact that they were discussed in the campaign—and I have no doubt they were—then the people of North Dakota in the 1940 election voted against Senator LANGER's side of the question, because 152,000 voters voted for his 2 opponents, and only 100,000 voted for Senator LANGER. So, if, as the Senator says, that really was an issue, over 52,000 majority of the people of North Dakota did not approve of these transactions.

I should like to have the election returns of 1940 put in the RECORD, if the Senator from Utah has no objection.

Mr. MURDOCK. I have no objection to the Senator doing so, if he places them in the RECORD after my remarks.

Mr. CHANDLER. I should like to place them in the RECORD as a part of my remarks at this point.

Mr. MURDOCK. No; not at this point, but the Senator may do so following my remarks.

Mr. BONE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BONE. The point I raise is that I personally have not only great reluctance, but I should consider the job utterly distasteful and entirely out of my hands to save another fellow when he does not ask me to save him. The people of North Dakota can vote and decide as to who shall go into office. If they do not want a minority candidate elected, that is their business. Abraham Lincoln was a minority candidate, as I remember. Yet this Chamber has resounded with the praises of the minority candidate who saved the Union. Woodrow Wilson was also a minority candidate. Are we to challenge everything that Woodrow Wilson did? Are we to lay against the memory and the history of Abraham Lincoln

the charge that he was not a good President simply because he was elected by a minority?

If I read my history aright, Abraham Lincoln was scared to death in 1864 for fear he would be defeated. The soldiers in the field voted for Abraham Lincoln. Many State legislatures provided that the soldiers from their States could vote in the field, and they did so. In this respect, I do not want to be charged with a misstatement, but my recollection is that Indiana, the State from which my father came, was one of the States which provided that its soldiers might vote. That was a State matter, however. Some States did not permit their soldiers in the field to vote.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Some States went further. They even sent election officers to the camps and let the soldiers vote in the camps.

Mr. BONE. Indeed they did. The men who were engaged in blood and iron business at Spottsylvania, Antietam, Gettysburg, and on other fields, wanted to see Lincoln elected. I suspect that George McClellan did not get very many votes among Northern soldiers.

Some States would not permit their soldiers to vote. I do not know what the States of the Southern Confederacy did with respect to their soldiers in any elections those States may have held, but perhaps they were bedeviled with the same problems. If the people of North Dakota want to elect a Senator by the processes provided in the State for elections, that is their business.

Mr. CONNALLY. Mr. President, will the Senator again yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. If we adopt the theory that the Senate is better able to judge as to who should sit in the Senate than are the people of the State, will not the tendency then be to create a little senatorial oligarchy here which will determine who shall be our successors, as did some of the republics of ancient times which fell into decay and vanished from the earth?

Mr. BONE. That is correct. One can admit whatever admission is justly proper in the picture as it is presented by the Senator from Kentucky [Mr. CHANDLER]. It is true, but if there is any reproach about it, the reproach lies against the State of North Dakota.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CHANDLER. I do not mean to imply that there is any reproach. I think my friend the Senator from Utah [Mr. MURDOCK] raised the point that the matter under discussion was an issue in the election. If it was an issue, it was decided against Senator LANGER. It was decided by a vote of 150,000 to 100,000 against Senator LANGER. I do not say that other issues were not involved. That question, however, seems to me to have nothing to do with the matter. If the Senate does not have the right to be the judge of its own membership, and if it does not have the right to investigate,

when it is called upon to investigate, charges brought against a Member, or the election of a Member when charges are brought against the manner of his election, what are we doing here? We are fooling away a great deal of time. What we are doing now was not on my motion. I did not ask to bring the matter up. I have the idea that the Senate of the United States, for a good reason, or a bad reason, or for no reason at all, can permit a Senator to retain his seat or exclude him.

That is well known not only to all the States, but to all the people of the United States. It seems to me we are doing many foolish things here and wasting much time. No Member of the Senate or of the committee wanted to waste this time. Charges were made, and we were called upon to investigate them and make a report. We have done so. Three of the members of the committee had the view that under the circumstances we did not have the right to reach the conclusion which we reached, but 13 of us thought we had the right to reach it.

I do not want to take too much of the Senator's time, but if the things we complained about were an issue in the campaign—and the majority complains about the bond deal and the land transaction and two or three of the things which are unexplained to us—it cannot be said that the people of North Dakota passed on that issue in favor of Senator LANGER. They did not do so. They passed on it adversely to him.

Mr. BONE. It is a difficult thing to say what people pass on.

Mr. CHANDLER. I do not know.

Mr. BONE. I have spent a lifetime observing political affairs, but I have never been quite able to make up my mind exactly what the people pass on. There is such a mélange of ideas, cross-currents, likes, and dislikes, that a man would have to be pretty smart to know precisely what the people are passing upon.

As I understand, there were two candidates of the Nonpartisan League and one Democratic candidate. People are swayed by their likes and dislikes of individuals. The people of North Dakota may have voted for the other Nonpartisan candidate for personal reasons. Their views may not have been colored by this transaction, but obviously if they were enough outraged they could have visited their wrath on Governor LANGER by not permitting him to be legally elected.

However, over and beyond that, this is the thing which presents an almost impossible hurdle to me as a lawyer: This business was canvassed, the charges were bruited back and forth, and then a man was elected.

It seems that he did not love LANGER. He made a campaign on the issue that he was going to "kick the stuffing" out of LANGER in connection with the bond deal. Am I overstating it? Perhaps in my utterly crude style I attempted to use the vernacular, which does not befit this honorable Chamber; but I understand that he called down on LANGER's head the mildew of the wrath of God Almighty, and said he was going out to "fix" him

after he was elected. That is true, is it not?

Mr. CHANDLER. It frequently happens.

Mr. BONE. He got himself elected, and hired a man to put a long probe into these matters. He had experts look them all over, and he did not bring down the mildew of his own wrath on LANGER's head; nor did he invoke the thunderbolts of the law. A year or two later, LANGER was elected to the Senate, and then an issue was made of the charges. All of a sudden, the processes of the criminal law in North Dakota not having been invoked, the petitioners come here and ask us to vindicate the majesty of the law to relieve their pent-up feelings; so we spit on our lances, grasp them firmly in hand, and yell for the faithful to follow our white plumes into battle to vindicate something or other. I do not want to be vindicating something when the people of North Dakota do not vindicate it themselves. They elected a Governor out there to vindicate all those things.

Mr. CHANDLER. They have spent \$125 to obtain exhibits from the committee. Members of the State Senate in North Dakota and other influential persons have stated to me that they did not know anything about these charges until they were brought up in the Senate.

Mr. MURDOCK. The Senator did not testify to that before the committee.

Mr. CHANDLER. I did not testify before the committee. I can make that statement if I so desire.

Mr. MURDOCK. Certainly the Senator can do so; but I hope the Senator does not ask the Senate to convict LANGER on the basis of what derelict officials up in North Dakota had not thought about doing until our committee investigated.

Mr. CHANDLER. I have not asked the Senate to convict him at all. The information I have is my own information; and if I have it, I have a right to use it. I have it. Let me say to the Senator that I think certain persons in North Dakota are still trying. They are not satisfied. It is amazing to me that the charges could have been discussed so widely that everybody else knows about them, but no substantial number of the people of North Dakota know much about many of these transactions.

Mr. BONE. The point I tried to make is that I feel foolish in trying a case which ought to have been tried in the courts of North Dakota.

Mr. CHANDLER. I agree with the Senator.

Mr. BONE. Some Senators have been prosecutors. The Senator from Illinois [Mr. LUCAS] has been a prosecutor. The junior Senator from Kentucky [Mr. CHANDLER] was probably once a prosecuting attorney. Many other Members of the Senate have been prosecuting attorneys. There is not one of them who does not know in his heart that prosecution is only a matter of digging up the necessary evidentiary facts and getting into court. If I were a prosecuting attorney it would not have taken me all this time to make a case, especially after I had made an issue of it in a campaign. I should have gone blithely and trippingly down the pathway of diligence toward a prosecution.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. The Senator says that the Governor of North Dakota could have done all these things. On what theory could he have gone to Des Moines, Iowa, and obtained evidence from Brunk which only a Federal investigator could have obtained? That evidence is the real substance and meat of the entire transaction involving the land and bond deals.

Mr. BONE. Of course, I know that in a State prosecution a witness cannot be brought from another State. There is no use in lawyers kidding themselves about any aspect of this case. I say "I know." Perhaps I presume too much on the good nature of Senators; but I feel that if I were a candidate for Governor in a State, and had predicated my campaign in whole, or even in substantial part, on the theory that I was going to clean up some mess, by the eternal, I would have tried to clean it up. I would not have let it finally come to repose in some distant legislative body. I would have "hopped to it" and gone right to work on the thing.

Mr. LUCAS. It required more than a year for two investigators and the Committee on Privileges and Elections, consisting of some 18 or 19 members, to find out what they did find out. Under the resolution which was adopted, they had the Federal power and authority to go into any State, or into anybody's office. It has taken us some little time to do what we have done, at tremendous expense to the taxpayers. I do not blame the people of North Dakota for not finding what investigators clothed with Federal authority required months to find out.

Mr. MURDOCK. Mr. President, in answer to the Senator from Illinois I wish to call attention to what the record shows. The Federal investigators knew all about Brunk's books. Time and again he turned them over to Federal investigators and let them go through them; so certainly they knew about them.

Mr. LUCAS. Certainly; they may have known about them.

Mr. MURDOCK. The record is very clear on that point.

The Senator says that witnesses could not be brought from another State. Was any effort made to obtain them? No. What the Senator wants us to do is to draw a conclusion against Senator LANGER because no effort was made to bring in witnesses from another State.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. The Senator is talking about entirely different investigators from the ones about whom I am talking. I am talking about the investigators who were sent out by the Committee on Privileges and Elections, and not other investigators. I do not know what other investigators were doing, even if they did look at Brunk's books.

Mr. MURDOCK. I am telling the Senator what is in the record. The investi-

gators saw Brunk's books. As I understood the Senator, he made the point that witnesses such as Brunk could not have been brought from Iowa to North Dakota to testify in a State prosecution. However, the record shows that to everybody who asked Brunk for permission to look at his books he said, "Here they are."

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. If Mr. Duffy, who conducted the investigation for Governor Moses, who was going to throw LANGER in jail, had procured indictments in North Dakota based on these transactions, the attendance of Brunk and Brewer as witnesses could have been obtained when they stuck their heads across the State line. Otherwise their bond dealings would have been broken up.

Mr. MURDOCK. The record is that Brewer is still selling bonds in North Dakota.

Mr. CONNALLY. I understand; but the point is that their attendance as witnesses could have been procured the moment they crossed the State line, or they would have had to keep out of the State and abandon their bond dealings.

Mr. MURDOCK. Certainly.

We are confronted by the statement from the Senator from Kentucky and the Senator from Illinois that \$125 has been spent by some of the State officials in North Dakota to obtain records from our committee. Are we to conclude from that that the officials of North Dakota are about to do something, and then draw the conclusion that because they are now going ahead LANGER is guilty of these charges? In my opinion that is rather far-fetched reasoning.

Mr. BONE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BONE. I have been tremendously interested in political history since I was a small boy. Being a Hoosier, that is probably an instinct.

Mr. CHANDLER. That instinct comes from Kentucky. [Laughter.]

Mr. BONE. There is only one worse place on earth in that respect, and that is Kentucky. [Laughter.]

Mr. BARKLEY. The Senator means better, not worse.

Mr. BONE. Kentuckians descend to levels of passionate interest far below that of Hoosiers. I have seen many political fights in States involving passionate bitterness transcending anything in one's imagination. I have heard charges and countercharges made which, if they were believable, would mean that the accused person plumbed the depths of infamy and achieved new low levels of viciousness in politics; and yet such things are largely forgotten afterward. I suppose every State in the Union has had such an experience, and has waked up with a headache the day after election. During a campaign people have the mighty, passionate desire to hold the Holy Grail in one hand and an Excalibur in the other; but a week after election all that great interest subsides like a punctured balloon, and nothing is done.

Years ago when I was a young man I walked into a law office in Indianapolis, Ind., occupied by my cousin, who was a prominent young lawyer of that State. While I was in the office a dapper little gentleman walked in. As I remember, he wore pearl-gray spats, and was a pattern of sartorial elegance and luxury. My cousin introduced me to him. He said, "This is Governor Taylor, of Kentucky." I bowed clear to the floor. I thought, "This is fine for a kid like me to be meeting a real live governor."

Mr. CHANDLER. He was a fugitive from justice.

Mr. BONE. My cousin took me to one side and said, "Don't get too jazzed up, Homer, because he is a fugitive from justice. He would be back in Kentucky if it were not that our Governor refuses to send him back. The State of Kentucky wants him badly." It seems that Governor Goebel had been "knocked off" by some rough Kentuckian, a very rude person, who shot him. For a long time Kentucky was ripped and torn by the political feuds which arose out of the Taylor-Goebel incident. I am looking at the Senators from Kentucky suspiciously. I do not know how Kentucky ever ironed out that situation, or whether it ever got into the Senate; but somebody ought to have been indicted for something or other because of that trouble. I am only hopeful that none of the principals came to the Senate.

Mr. BARKLEY. All that is now barred by the statute of limitations. I do not know what connection the Goebel-Taylor situation has with the matter now pending before the Senate, but it was a very interesting political development which came very near to producing a revolution in the State of Kentucky. However, the legislature in its wisdom brought about a situation in which Lieutenant Governor Beckham was made Governor, following the death of Goebel. Governor Beckham served for practically 8 years, because, although the term of Governor is limited to one 4-year term, the court of appeals of our State held that the restriction did not apply to serving out the remainder of an unexpired term. Governor Beckham thereafter ran for the full term, and served practically 8 years continuously as Governor. Although a very young man, he brought about a solution of the problem by his calm, judicial temperament and by his wisdom. He restored order in Kentucky and avoided the chaos which was on the verge of occurring. Although for many years there were bitter memories and animosities as a result of the contest which had resulted in the murder of Goebel, soon thereafter the government of the State resumed its peaceful course in the history of Kentucky, and today those unhappy events remain as only an unpleasant memory to our people.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me?

Mr. MURDOCK. I yield.

Mr. CLARK of Missouri. In addition to what the Senator from Kentucky has said, it might be added that Taylor, the Republican who, on the basis of the election returns, was elected Governor, fled to Indiana and hid there for a number

of years, being protected by the refusal of the Governor of Indiana to honor the requisition of the State of Kentucky. Later, he was pardoned by Wilson, a Republican, who was elected Governor of Kentucky without opposition the first time he ran; Caleb Powers, who was charged with participation in the murder of Goebel, later served in the House of Representatives for 8 or 10 years.

Mr. BARKLEY. I do not want to go back into that matter. The pardon was issued by the Governor who in his campaign had sworn that he would not pardon Taylor, who had been hiding in the wilds of Indiana for 8 years. Caleb Powers, who was one of the men indicted for participation in the murder of Goebel, served 8 years in jail, after three trials. When he got out of jail he lived in the mountains, in a Republican district. The people of that district had vowed that when he got out of jail they would elect him to the House of Representatives and would keep him there for as many years as the Democrats had kept him in jail. They did so. Previously, he had been convicted under the administration of the same Governor under whose administration Taylor was convicted.

Mr. CHANDLER. Mr. President, will the Senator yield to me?

Mr. MURDOCK. I yield.

Mr. CHANDLER. That misfortune also came to us in 1896; in that year we had the first Republican Governor in the history of our State.

Mr. BONE. Mr. President, will the Senator yield to me?

Mr. MURDOCK. I yield.

Mr. BONE. Of course, a considerable length of time would be required for the people of a State to recover from the shock of so great a tragedy as that.

Let me say to the Members of the Senate that, as a member of the jury, I am tempted to move for a mistrial because so many of the jurors have run out during the trial of the case, and the defendant does not seem to be receiving a trial at the hands of his peers.

Mr. BARKLEY. It is a misfortune that the rules of the Senate do not require the Presiding Officer to keep the jury together, as is required of the judge presiding during a criminal trial. It is probably fortunate that nobody has attempted to keep the jury together overnight.

Mr. BONE. If I may appear as amicus curiae, and may speak to the court, I should like to say that probably we should require the Sergeant at Arms to bring in the recalcitrant jurors so that they may find out if there is anything to the pending case. We do not want to waste on the desert air of empty seats all the sweetness on both sides. This is an important matter to the Senate, as well as to the Senator from North Dakota.

Mr. CHANDLER. Mr. President, if the Senator from Washington is worried about the matter, I wonder how he feels about members of the committee, who have been working on the case for nearly a year.

Mr. BONE. I am simply trying to make up my mind about some of the shadings and nuances of the case. I am wondering why the people of North

Dakota, who have sworn to do something about this matter, have not done it. I desire to satisfy my own judgment on the facts, and also, if possible, to vindicate the outraged feelings of the people of North Dakota, who do not seem to have vindicated themselves.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I shall yield in a moment.

While the remarks of the Senator from Kentucky, as well as the remarks of the Senator from Washington, which prompted them, are so fresh in my mind, I again point out to the Senate that the very fact that we cannot keep a quorum here and the very fact that our rules do not make it necessary for Senators to stay, probably were in the minds of the framers of the Constitution when, in my opinion, in the Constitution they precluded the type of proceedings we are having today. They knew that we would not have the facilities, and that we would not be so constituted as to be able to afford to a Senator who might come here charged with the commission of a crime the type of trial to which he should be entitled.

Mr. President, again the hour is late. It will take me perhaps 10 minutes more to sum up the points which I think should be again called to the attention of the Senate. I yield at this time for the day.

Mr. CHANDLER. Mr. President, I now request that the 1940 senatorial returns in North Dakota be placed in the RECORD at this point as part of my remarks.

There being no objection, the returns were ordered to be printed in the RECORD, as follows:

1940 returns:	
Langer	100,647
Lemke	92,593
Vogel	69,847

MESSAGES FROM THE PRESIDENT— APPROVAL OF A BILL

Messages in writing from the President of the United States submitting certain nominations were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on March 17, 1942, the President had approved and signed the act (S. 2249) authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. TUNNELL in the chair), as in executive session, laid before the Senate a message from the President of the United States nominating Maj. Gen. Jonathan Mayhew Wainwright—brigadier general, Regular Army—for temporary appointment as lieutenant general in the Army of the United States, under the provisions of law, which was referred to the Committee on Military Affairs.

EXTENSION OF WAR POWERS—CONFERENCE REPORT

Mr. O'MAHONEY. Mr. President, I submit the report of the conferees on Senate bill 2208.

The PRESIDING OFFICER. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2208) entitled "An act to further expedite the prosecution of the war," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 30, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43, 48, and 49 and agree to the same.

Amendment numbered 9: That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with the following amendments: Page 2, line 18, of the House engrossed amendments, strike out the comma and the words "and deliveries" and insert in lieu thereof a period and the word "Deliveries", and, in line 20, after the word "and" where it appears the first time, insert the words "deliveries of material under", and in the same line strike out the word "and" where it appears the second time and insert in lieu thereof the word "or"; and the House agree to the same.

Amendment numbered 11: That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment strike out, in the Senate engrossed bill, all after "subsection." in lines 8 and 9, page 5, down to and including "defense." in line 23, and insert in lieu thereof the following:

"Deliveries under any contract or order specified in this subsection (a) may be assigned priority over deliveries under any other contract or order; and the President may require acceptance of and performance under such contracts or orders in preference to other contracts or orders for the purpose of assuring such priority. Whenever the President is satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of any material or of any facilities for defense or for private account or for export, the President may allocate such material or facilities in such manner, upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense."

And the House agree to the same.

Amendment numbered 14: That the Senate recede from its disagreement to the amendment of the House numbered 14, and agree to the same with an amendment, as follows: Page 5, line 7, of the House engrossed amendments, after the word "documentary", insert the words "evidence or certified copies thereof"; and the House agree to the same.

Amendment numbered 27: That the Senate recede from its disagreement to the amendment of the House numbered 27, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment strike out, in the Senate engrossed bill, lines 13 to 18, inclusive, on page 8, and insert in lieu thereof the following: "by striking out the proviso therein and inserting in lieu thereof the following: 'Provided, That any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities either in the open market or directly from or to the United States; but all such purchases and sales shall be made in accordance with the provisions of section 12A of this Act and the aggregate amount of such obligations acquired directly from the United States which is held at any one time

by the twelve Federal Reserve banks shall not exceed \$5,000,000,000.'"; and the House agree to the same.

Amendment numbered 28: That the Senate recede from its disagreement to the amendment of the House numbered 28, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"Sec. 501. The head of each department or agency responsible for the administration of the navigation and vessel inspection laws is directed to waive compliance with such laws upon the request of the Secretary of the Navy or the Secretary of War to the extent deemed necessary in the conduct of the war by the officer making the request. The head of such department or agency is authorized to waive compliance with such laws to such extent and in such manner and upon such terms as he may prescribe either upon his own initiative or upon the written recommendation of the head of any other Government agency whenever he deems that such action is necessary in the conduct of the war."

And the House agree to the same.

Amendment numbered 29: That the Senate recede from its disagreement to the amendment of the House numbered 29, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"Sec. 602. The second sentence of the first paragraph of section 1 of the Act of October 16, 1941 (55 Stat. 742), entitled 'An Act to authorize the President of the United States to requisition property required for the defense of the United States,' is amended by striking out the words 'on the basis of the fair market value of the property at' and inserting in lieu thereof the words 'as of'; and at the end of such sentence, before the period, inserting the words 'in accordance with the provision for just compensation in the fifth amendment to the Constitution of the United States,' so that such sentence will read as follows: 'The President shall determine the amount of the fair and just compensation to be paid for any property requisitioned and taken over pursuant to this act and the fair value of any property returned under section 2 of this act, but each such determination shall be made as of the time it is requisitioned or returned, as the case may be, in accordance with the provision for just compensation in the fifth amendment to the Constitution of the United States.'"

And the House agree to the same.

Amendment numbered 31: That the Senate recede from its disagreement to the amendment of the House numbered 31, and agree to the same with an amendment, as follows: Page 11, line 4, of the Senate engrossed bill, strike out the word "or"; and the House agree to the same.

Amendment numbered 37: That the Senate recede from its disagreement to the amendment of the House numbered 37, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment with the following amendments:

Page 13, line 8, of the Senate engrossed bill, after the number "1137," insert "U. S. C. 1940 ed., title 8, secs. 501-907."

Page 13, line 17, of the Senate engrossed bill, after the word "war", insert "and who, having been lawfully admitted to the United States, including its Territories and possessions, shall have been at the time of his enlistment or induction a resident thereof."

Page 13, lines 19 and 20, of the Senate engrossed bill, strike out the words "and no certificate of arrival".

Page 14, lines 23 and 24, of the Senate engrossed bill, strike out the words "this act as provided in title XV" and insert in lieu

thereof "those titles of the Second War Powers Act, 1942, for which the effective period is specified in the last title thereof."

Page 16, line 18, of the Senate engrossed bill, after the word "Act", insert "; and such ground for revocation shall be in addition to any other provided by law."

Page 16, strike out lines 23 and 24 of the Senate engrossed bill.

And the House agree to the same.

Amendment numbered 44: That the Senate recede from its disagreement to the amendment of the House numbered 44, and agree to the same with amendments, as follows: Page 10, line 14, of the House engrossed amendments, after "documentary", insert "evidence or certified copies thereof", and in lieu of the matter proposed to be inserted by that part of the House amendment beginning on page 12, line 19, of the House engrossed amendments, and ending on page 13, line 21 thereof, insert the following:

"Sec. 1501. The Secretary of Commerce shall, at the direction of the President, and subject to such regulations as the President may issue, make such special investigations and reports of census or statistical matters as may be needed in connection with the conduct of the war, and, in carrying out the purpose of this section, dispense with or curtail any regular census or statistical work of the Department of Commerce, or of any bureau or division thereof. Any person who shall refuse or willfully neglect to answer any questions in connection with any special investigations made under this section, or who shall willfully give answers that are false, shall upon conviction thereof be fined not exceeding \$500 or imprisoned for a period of not exceeding 60 days, or both."

"Sec. 1502. That notwithstanding any other provision of law, any record, schedule, report, or return, or any information or data contained therein, now or hereafter in the possession of the Department of Commerce, or any bureau or division thereof, may be made available by the Secretary of Commerce to any branch or agency of the Government, the head of which shall have made written request therefor for use in connection with the conduct of the war. The President shall issue regulations with respect to the making available of any such record, schedule, report, return, information or data, and with respect to the use thereof after the same has been made available. No person shall disclose or make use of any individual record, schedule, report, or return, or any information or data contained therein contrary to the terms of such regulations; and any person knowingly and willfully violating this provision shall be guilty of a felony and upon conviction thereof shall be fined not exceeding \$1,000, or be imprisoned not exceeding 2 years, or both."

"Sec. 1503. For purposes of this title the term "person" shall include any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not."

And the House agree to the same.

The committee of conference have not agreed to the following amendments:

Disagreement as to substance: Amendment numbered 32.

Disagreement solely as to title and section numbers and cross-references: Amendments numbered 45, 46, 47, and 50.

JOSEPH C. O'MAHONEY,

WALL DOXEY,

WARREN R. AUSTIN,

Managers on the part of the Senate.

HATTON W. SUMNERS,

CHARLES F. McLAUGHLIN,

CLARENCE E. HANCOCK,

Managers on the part of the House.

Mr. O'MAHONEY. I ask unanimous consent for the present consideration of the conference report.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the report.

Mr. AUSTIN. Mr. President, it seems to me that, in connection with a bill of this importance, the result of the conference should be explained to the Senate.

Mr. O'MAHONEY. I shall be very glad to follow the suggestion of the senior Senator from Vermont, who was one of the members of the conference and who contributed very substantially to the agreement which was reached in the conference.

This is what is known as the second War Powers bill. The conferees agreed upon all the amendments which were offered in the House with the exception of five, only one of which was a substantial amendment. The others were purely formal amendments. The substantial amendment was that by which the House, acting upon the recommendation of the Judiciary Committee of the House, had rejected the Senate provision extending the benefits of the employees' compensation law to certain persons hired by the Office of Civilian Defense. The House of Representatives approved the action of the House committee and struck this section from the bill. Thereafter the conferees were unable to agree. However, the House conferees took that provision back to the House for action, and again the House insisted that the provision be stricken.

The conference report agrees on all other substantial matters which were in disagreement between the two Houses. I may say that this includes the title which provided authority to the Federal Reserve Board to make direct purchases of Government obligations from the Treasury. With respect to this provision, the bill, as it passed the Senate, was unlimited. The House inserted a limitation which would practically have destroyed that power. The conferees were able to agree upon a substitute proposal which places a limitation of \$5,000,000 upon the amount of such bonds, so purchased directly from the Treasury, which may be held at any one time by the Federal Reserve banks.

The House of Representatives struck from the bill the whole title which was approved by the Senate, providing for the naturalization of persons serving in the armed forces of the United States during the present war. This title was approved by the House committee, but was eliminated on the floor of the House when the bill was originally considered there. The conferees agreed upon a revision of the Senate text by which the right of naturalization was extended only to aliens who, having been lawfully admitted to the United States, its Territories or possessions, were residents at the time of enlistment or induction into the armed services.

The House inserted a new title, authorizing the Secretary of Commerce to make special investigations and reports of census matters for the purposes of the war. This also permits the Secretary of Commerce to dispense with the biennial census of manufactures, or any similar regular census or statistical work not now

needed. The conferees held special hearings on this matter and received testimony that this latter provision in itself will effect a saving of something more than \$1,000,000.

Perhaps I should add that the Senate accepted the House amendment by which members of the selective service and training boards are exempted from certain prohibitions of the Hatch Act.

Another provision of the measure as agreed upon by the conferees authorizes the inspection and audit of the books of war contractors. This eliminates all possibility of such an incident as that recently pointed out by the Supreme Court in the Government suit against the Bethlehem Steel Corporation, which grew out of the last war. At that time the Government did not have the right to examine Bethlehem's books dealing with contracts of the first World War, and the Supreme Court ruled against the Government. By virtue of the provision of this bill, which was slightly changed in conference, no such incident will be possible during this war. Under the provision as agreed upon in the conference, auditing may be conducted by any governmental agency or officer designated by the President or by the Chairman of the War Production Board.

Mr. President, I think that covers substantially the matters in which the Senate is interested.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
March 16, 1942

Resolved, That the House recede from its amendments numbered 45, 46, and 50 to the bill (S. 2208) to further expedite the prosecution of the war; and

That the House further insist upon its amendments numbered 32 and 47 to said bill.

Mr. O'MAHONEY. Mr. President, in order that the formal amendments may also be eliminated, the Senate conferees having no desire to pursue further the disagreement with the House upon the matter of the Office of Civilian Defense, I move that the Senate recede from its disagreement to the amendment of the House numbered 32, and agree to the same. This amendment is purely formal, having to do with the title number.

The motion was agreed to.

Mr. O'MAHONEY. I also move that the Senate recede from its disagreement to the amendment of the House numbered 47, and agree to the same. This is also a purely formal amendment.

The motion was agreed to.

Mr. O'MAHONEY. The provision of the original bill which was stricken out in the House—being title VIII—comes in the middle of the bill; and since it is now eliminated it means that the sections and titles following it must all be renumbered. Therefore, with the authority of the Senate conferees and of the Senate Committee on the Judiciary, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be read by title for the information of the Senate.

The concurrent resolution (S. Con. Res. 27) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That in enrolling the bill (S. 2208) to further expedite the prosecution of the war, the Secretary of the Senate is authorized and directed to make all necessary corrections in title and section numbers and cross references as may be necessary by reason of the omission from the enrolled bill of title VIII.

Mr. O'MAHONEY. I ask unanimous consent that the statement of the managers on the part of the House with respect to amendment numbered 9 be printed at this point in the RECORD. I do so because this amendment deals with the priorities law, and it is the desire of the Senate conferees to express their concurrence in the statement of the managers on the part of the House that amendment numbered 9 is not intended to restrict the powers of the President under the first War Powers Act.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Amendment numbered 9: The Senate bill made specific amendments to paragraph (1) of subsection (a) of section 2 of the priorities law (the act of June 28, 1940, as amended) and the House amendment set out the full text of that paragraph. The Senate recedes from its disagreement to the amendment of the House with amendments of a minor nature which clarify the language. The amendment, in setting out the full text of such paragraph (1) necessarily repeats language of existing law in which no change is proposed. Included in this language in which no change is proposed are certain restrictions on the making of Government contracts. The First War Powers Act authorized the President to relax certain requirements in the making, performance or modification of contracts whenever he deems such action would facilitate prosecution of the war. The President's powers under the First War Powers Act are not intended to be restricted by the re-statement in this legislation of such provisions of paragraph (1) of section 2 (a).

NOMINATION OF JONATHAN MAYHEW WAINWRIGHT TO BE LIEUTENANT GENERAL

Mr. CHANDLER. Mr. President, as in executive session, from the Committee on Military Affairs, I report favorably the nomination of Maj. Gen. Jonathan Mayhew Wainwright, brigadier general, Regular Army, for temporary appointment as lieutenant general in the Army of the United States, under the provisions of law, and ask unanimous consent for its immediate consideration. I ask that the nomination be read by the clerk, so that all Senators may know that General Wainwright has been nominated to succeed General MacArthur in command of the American troops on the Bataan Peninsula.

The PRESIDING OFFICER. The nomination will be stated for the information of the Senate.

The legislative clerk read the nomination of Maj. Gen. Jonathan Mayhew Wainwright—brigadier general, Regular Army—for temporary appointment as

lieutenant general in the Army of the United States, under the provisions of law.

Mr. CHANDLER. Mr. President, I have consulted with the distinguished minority leader, the Senator from Oregon [Mr. McNARY]; and I understand that he has no objection to the present consideration of the nomination.

Mr. McNARY. Mr. President, I think the nomination comes within the exception to the rule; and I have no objection to its present consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none. Without objection, the nomination is confirmed.

Mr. CHANDLER. I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

ORDER FOR RECESS

Mr. BARKLEY. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations this afternoon, it take a recess until 12 o'clock noon, tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CONTROL OF ALIENS AND OTHERS IN MILITARY ZONES

Mr. REYNOLDS. Mr. President, I have in my hand a clipping from one of the morning Washington newspapers, reading as follows:

COAST BEGINS REMOVAL OF JAPS NEXT WEEK

SAN FRANCISCO, March 18.—Gen. John L. De Witt, commanding the Western Defense Command, announced tonight that evacuation of the first Japanese aliens and American-born Japanese from military area No. 1 will start "early next week" with the removal of 1,000 Japanese from the Los Angeles area.

Mr. President, I wish to address the Members of this body now with reference to Senate bill 2352, a bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones, the measure relating to alien enemies and others.

As chairman of the Military Affairs Committee of the Senate, on March 9, 1942, I was requested by Hon. Henry L. Stimson, Secretary of War, to introduce the bill to which I have referred. At that time I received from the War Department a letter, signed by the Secretary of War, under date of March 9, 1942, reading as follows:

DEAR SENATOR REYNOLDS: There is enclosed herewith draft of a bill entitled "A bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones," which the War Department recommends to be enacted into law.

The purpose of the proposed legislation is to provide for enforcement in the Federal criminal courts of orders issued under the authority of Executive order of the President No. 9066, dated February 19, 1942. This Executive order authorizes the Secretary of War to prescribe military areas from which any and all persons may be excluded for purposes of national defense.

It is impossible to estimate the probable cost to the Government consequent upon the enactment of such legislation.

The Bureau of the Budget has advised that there is no objection to the submission of this proposed legislation for the consideration of the Congress, as the enactment thereof would not be in conflict with the program of the President.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

Immediately upon receipt of the letter which I have just read I introduced Senate bill 2352, which would provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones.

The bill was immediately referred to the Committee on Military Affairs of the Senate for consideration. On Friday, March 13, 1942, the full committee of the Committee on Military Affairs of the Senate, of which I am chairman, convened for the purpose of considering the bill, at which time the committee had the benefit of the presence of Col. B. M. Bryan, of the War Department.

This bill deals primarily with the activities of aliens and alien enemies, and therefore should be of interest to every Member of the Congress of the United States, in view of the fact that there are more than 5,000,000 aliens within the confines of continental United States. It may be stated without exaggeration that one of our most important fronts is the American front, and without the proper control of aliens and enemies of this Government we can hardly expect to be successful in other areas of the world unless we first provide protection for American citizens on the American front, where we must guard carefully our great munitions and manufacturing structures engaged in the production of war materials. It is concerning this that I wish to speak first in discussing the importance of the bill.

In order that the two Houses of the Congress of the United States and the American public may be given an insight into the battlefield on the home front, I wish particularly to bring to the attention of the Members of this body the alien question as it exists today, fifth-column activities within the United States, in other words, to give a brief discussion of the subject pertaining to the matter of fighting the foe within. We will remember Pearl Harbor. We recall that the invading forces certainly were provided aid from Japanese on land on the island of Oahu, which, I understand, is the only island of the Hawaiian group that is anywhere near properly fortified at the present hour. The report reaches us that canefields were cut in the form of arrows pointing to military objectives; that vegetable dealers and merchants kept detailed records of purchased naval supplies in order to gage fleet movements; and that fishing sampans are believed to have been in touch with ships of the Japanese fleet, or certainly with agents of the Japanese military intelligence division. The fact is, that on December 5, 2 days before the attack, a telephone conversation lasting around 18

minutes was carried on between a Japanese in Hawaii and Japan by which important military information was communicated to the Japanese Government.

When the vicious attack of December 7 came, Japanese are reported to have wrecked cars and otherwise obstructed traffic. It is revealed that Japanese pilots shot down above Pearl Harbor were found to be wearing Honolulu high-school insignia and United States college rings, and one person, later arrested as a spy, had been a highly regarded Honolulu citizen for 20 years.

Since the Pearl Harbor incident, enemy activity on the Pacific coast has quieted, but this lull itself leads our officials to suspect perhaps further blows, and evidences the fact that enemy groups of saboteurs are under excellent control by their leaders. Air and submarine attacks from the sea, for example, could be coordinated with sabotage on land by dynamiting dams, power plants, oil fields, refineries, and defense factories. Japanese settlements often are near these vital areas. Let us not forget that these Japanese who constitute a grave peril to our Nation are aided and abetted by an overwhelming mass of disloyal German and Italian sympathizers.

Reasons for suspected widespread fifth-column activity among Japanese is found in information gathered by our distinguished colleague, Senator GUY GILLETTE, of Iowa. The Senator recently pointed out that, although American-born Japanese are regarded as United States citizens, they also are held to be subjects of Nippon unless they specifically renounce the Emperor. Few renunciations have been made and all citizens may be conscripted into the Japanese service.

Furthermore, Japanese consuls, Buddhist priests, and other leaders have been propagandizing the children of their countrymen for years right here beneath the shadows of the American flag, right here in continental United States. We learn that from translations of essays written by Japanese high-school students in southern California to celebrate the twenty-six hundredth anniversary of the Empire. These students have expressed and do express pride in their dual citizenship and approval of Japanese ambitions in Asia.

This explains evacuation plans which I shall later mention.

In the face of such thorough propaganda activity which I have just mentioned, officials now feel that too much would be risked in allowing Japanese and other enemy aliens to remain in coastal areas, although some injustices probably would result from mass evacuations.

The possibility of Japanese sabotage on the west coast in the States of Washington, Oregon, California, and Arizona, leading from the Canadian border to the Republic of Mexico, is revealed by the census figures of recent date, which show that, of the 127,000 Japanese in America, 120,000 of them reside in the West, and, of these, 93,000 are in California alone. Our Justice Department reveals that 91,000 Japanese unquestionably may be classified as noncitizens.

It is revealed, thus, that Japanese plans, originally called for a five-pronged attack on the United States. Three of these prongs already have been driven into outposts at Hawaii, the Philippines, and the mid-Pacific islands. The two remaining prongs call for heavy submarine attacks on shipping and a thrust at the Panama Canal, possibly screened by a diversion in Alaska.

Suspicious were first aroused here in 1937 during joint congressional committee hearings on Hawaii's application for statehood. At that time, opponents of statehood questioned the loyalty of many of the 163,000 Japanese residents. At that time it was revealed by one witness that the Japanese consulate was arousing anti-American sentiment. At the time the Senator from Iowa [Mr. GILLETTE] proposed an investigation of Japanese organizations in the United States, but unfortunately his resolution was not pressed, after the State Department had warned against upsetting delicate negotiations then proceeding. Anyway, great credit should be given to our colleague, the Senator from Iowa, for his foresight in requesting an investigation of these Japanese organizations, and had his desires been carried out the probabilities are that much of the trouble and danger now occasioned by the Japanese in this country, and certainly in Hawaii, would have been eliminated, and perhaps the activities of the enemy Japanese in Hawaii would have been thwarted at Pearl Harbor on December 7. The Senator's warnings were not heeded. His sound judgment and advice was not taken advantage of.

Fifth-column activities and control, however, extend far beyond the Japanese groups. We know from the Attorney General's report that inside the country today is an estimated total of approximately 5,000,000 aliens. All subjects of the Axis nations, as we know, were ordered to register with the Justice Department on or before February 28 of this year, and Italian aliens have been ordered from their homes in certain west-coast areas.

Evidence that a tightly knit fifth column exists in the United States is daily being uncovered by the Federal Bureau of Investigation under the direction of its able director, the Honorable J. Edgar Hoover, to whom much credit should be given, and praise accorded for the fine manner in which he and his courageous men have to date handled the situation with such a limited number of special agents to carry out his orders.

West-coast raids on Japanese colonies have yielded truckloads of guns, ammunition, dynamite, and bombs, as well as cameras and radio sets in various quantities and numbers. Even Japanese army and navy uniforms have been found.

The extent of Nazi activities has been indicated in trials in New York and Washington. Thirty-three members of a spy ring operating in and around the metropolis of New York have been sentenced to prison terms ranging from 18 months to 18 years. This ring was uncovered through the operations of Mr. Hoover's Federal Bureau of Investigation. They even discovered in operation

a radio station which was in contact with Germany.

The extent of these alien-enemy activities, and the work of saboteurs and spies we may easily glean from the columns of the daily press in all sections of the country. Already more than seven thousand enemy aliens have been brought into custody by officials, but it is feared that the surface has scarcely been scratched, and the fears are certainly well founded.

Before me I have 15 clippings which I have gathered at random from daily newspapers published in various sections of the country. These articles relating to enemy aliens are headlined as follows:

Alexandria, Va.: 15 aliens arrested in near-by Virginia; arms, radios seized. Alexandria, Arlington police assist Federal Bureau of Investigation in round-up of suspects.

Middletown, N. Y.: Federal Bureau of Investigation seizes six aliens in West Point area.

Baltimore, Md.: Federal Bureau of Investigation seizes enemy aliens in Maryland plot; German flags, radios, hint invasion threat.

Salisbury, Md.: Two aliens, arms, and radios, and other paraphernalia seized in Eastern Shore raid.

Santa Fe, N. Mex.: 400 Japanese aliens reach detention camps.

Los Angeles, Calif.: Federal Bureau of Investigation jails 200 Japanese teachers in California German pro-Nazi suspects also seized in 24-hour round-up.

Cape May, N. J.: More aliens seized in New Jersey coast round-up.

Philadelphia, Pa.: Japanese quizzed after round-up.

San Francisco, Calif.: 60 aliens arrested in Federal Bureau of Investigation raids in northern California.

Annapolis, Md.: 179 aliens held after shore raids.

Albuquerque, N. Mex.: Powerful radio sender in hands of alien enemies seized in New Mexico.

New York City: Nazi spies convicted, but they get off lucky with 20 years in prison.

New York City: Two confessed Nazi spies face death penalty; naturalized Germans send aircraft data in invisible ink.

New York City: Seven found guilty in spy trial get total of 117 years.

Washington, D. C.: Attorney General Biddle orders 318 more enemy aliens interned.

And so it goes. Enemy aliens have been apprehended and placed under arrest in virtually every section of the United States, and enemy aliens are continuing to provide trouble for us here on the American front.

In addition to the headlines I have read, I have a number of clippings relating to this subject. I shall not attempt to engage the time of the Members of this body by reading these articles, but I do wish to set down here the headlines from the press, bringing to the attention of the American people just what we are confronted with here on the American front.

The articles are entitled:

Santa Clara, Cuba: 16 Axis spies seized in Cuban sugar fires.

Washington, D. C.: \$18,000,000 sought to guard United States offices against sabotage.

Washington, D. C.: Dies "brown paper" to bare Spanish agents' work in the United States.

Washington, D. C.: Dies launches probe of Spanish, Fascist, Latin-American moves.

New York City: 20 Hindus seized for illegal entry.

San Francisco, Calif.: More than third of Hawaiian population found to be Japanese.

Washington, D. C.: United States now engaged in relisting more than 1,000,000 of the 5,000,000 aliens now in the United States.

Washington, D. C.: Loophole found which permits enemy agents to enter country.

Charlotte, N. C.: Charlotte raid discloses enemy alien subterfuge.

Washington, D. C.: War spurs naturalization for District of Columbia story is told.

In reference to this, it is my opinion that we should be much more careful, and have strict observation of the laws, and know something of the character of the thousands and thousands of aliens being naturalized today. Frankly, I believe that the safety of our Nation demands that we suspend all naturalization for the duration of the war.

The following is a statement from Ambassador Bullitt:

Ambassador Bullitt in a speech delivered in Philadelphia, on August 18, 1940, said:

"The agents of the dictators are already here preparing the way for their armies. They are preparing the way in the same manner in which they prepared the way in France.

"In France much of the most terrible and traitorous work was done by the Fascists and Communists working together.

"At the most critical moment of the fighting in Belgium other German agents, this time Communist railway men, stopped all traffic on the Belgian railways so that there was no transport by train for the French, British, and Belgian armies.

"The French had been more hospitable than are even we Americans to refugees from Germany. More than one-half the spies captured doing actual military spy work against the French Army were refugees from Germany."

We must remember that one of the primary problems of a nation at war is the control of alien activity in connection with war.

From what we learn, certainly America is today being given an insight into the battlefield on the home front, in reference to which Senate bill 2352 concerns itself.

Had the legislation which I have been advocating ever since 1936 been written upon the statute books, we would have excluded from the United States a mass of people, among them spies, saboteurs, and agitators of sedition and subversion, who now are a source of unending anxiety to the military authorities of this Nation. In 1936 I sought to have Congress adopt a law for the registration and fingerprinting of all aliens then in the United States and those who might arrive thereafter. I even went so far in these past years to advocate a complete suspension or stoppage of immigration into the United States. Now, Mr. President, let me point out that through the failure to pass this legislation our relatively open doors have permitted the entry of spies, saboteurs, and promoters of sedition and discord, who are a source of constant anxiety at this moment. As a result of their presence we are confronted with the possibility, indeed, I may say the probability, that some of these people are actually now in the plants engaged in producing essential war materials for our Government.

Some of my colleagues I know felt that I was unduly alarmed in 1936 about the situation which would some day confront us, and which now is a present fact. We

are at war with the homelands of people who constitute, I regret to say, an undue proportion of our population, and when I say that, I do not wish to be misunderstood or misinterpreted.

I recognize full well the loyalty of many of our naturalized citizens who have come to us from the lands with which we are now at war, but the fact that an indeterminable percentage of those people are absolutely loyal does not in any way minimize the peril we face from those of whose loyalty we are uncertain, or of whose loyalty we have good reason to believe is questionable, to say the least. The War Department has asked me to sponsor this bill, which will confer broad powers on the military authorities charged with the protection of certain zones in our country. We well know that the necessities of our situation are such that these powers must even extend to the control of persons who are citizens of the United States.

Now I ask in all seriousness, when we consider this bill which is now before the Senate, S. 2352, let us remember that no matter what we may succeed in doing in this war, the problems which I have sought to present since 1936 will remain with us, and that this bill should not stand by itself. It should be supplemented, in my opinion, by legislation to end once and for all the entry of aliens into the United States until we can have so assimilated all the aliens in our population that never again will it be necessary for us to question the loyalty or devotion to our public institutions of any part of our population.

Indeed, the influx of aliens to our shores over the years has been such in its unrestricted nature as to permit of the entrance of alien enemies, spies, saboteurs, and radicals to such a degree that today the American front is one of the most dangerous fronts with which we have to deal.

On March 2, 1942, Lt. Gen. J. L. De Witt, United States Army, commanding the Western Defense Command, issued Public Proclamation No. 1, reading in part as follows:

To the people within the States of Arizona, California, Oregon, and Washington, and the public generally:

Whereas by virtue of orders issued by the War Department on December 11, 1942, that portion of the United States lying within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah, and Arizona, and the Territory of Alaska, has been established as the Western Defense Command and designated as a theater of operations under my command; and

Whereas by Executive Order No. 9066, dated February 19, 1942, the President of the United States authorized and directed the Secretary of War and the military commanders whom he may from time to time designate, whenever he or any such designated commander deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he or the appropriate military commander may determine, from which any or all persons may be excluded, and with respect to which the right of any persons to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate military commander may impose in his discretion; and

Whereas the Secretary of War on February 20, 1942, designated the undersigned as the

military commander to carry out the duties and responsibilities imposed by said Executive order for that portion of the United States embraced in the Western Defense Command: and

Whereas the Western Defense Command embraces the entire Pacific coast of the United States which by its geographical location is particularly subject to attack, to attempted invasion by the armed forces of nations with which the United States is now at war, and, in connection therewith, is subject to espionage and acts of sabotage, thereby requiring the adoption of military measures necessary to establish safeguards against such enemy operations:

Now, therefore I, J. L. De Witt, lieutenant general, United States Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as commanding general of the Western Defense Command, do hereby declare that:

The present situation requires as a matter of military necessity the establishment in the territory embraced by the Western Defense Command of military areas and zones thereof as defined in exhibit 1, hereto attached, and as generally shown on the map attached hereto and marked exhibit 2.

Then General De Witt proceeded to define these military zones.

As a result of this order in the form of Public Proclamation No. 1, which I have just read to the Senate, the War Department asks for the enactment of Senate bill 2352, to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones. The bill itself reads as follows:

Be it enacted, etc., That whoever shall enter, remain in, leave, or commit any act in any military area or military zone prescribed, under the authority of an Executive order of the President, by the Secretary of War, or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor and upon conviction shall be liable to a fine of not to exceed \$5,000 or to imprisonment for not more than 1 year, or both, for each offense.

To quote the words of Colonel Bryan, of the War Department, who appeared before our committee:

The purpose of this bill is to provide for enforcement in the Federal courts of orders issued under the authority of this proclamation. As things now stand orders can be issued but there is no penalty provided for violation of orders and restrictions so issued. Last evening General De Witt called me on the telephone from the west coast, talked to me personally, and he stated that the passage of this bill was necessary to enable him to properly carry out the provisions of the Executive order.

Before I conclude, as I intend to do in a few moments, let me just say a personal word. Ever since 1936 I have sought the passage by Congress, as each and every one of the Members of the Senate knows, of legislation providing for the registration and fingerprinting of all aliens in the United States, for the drastic curtailment of immigration itself, and for the deportation of every class of undesirable alien who curse this Nation by their pres-

ence now; I may say, elements who are contributing to the grave peril which the Nation faces today. It is, of course, useless for me to recapitulate what I have said on many occasions before, but I trust that now that we have a concrete measure to deal with the peril which confronts the Nation, it will be passed immediately. For the information of my colleagues, I read the report adopted by the Committee on Military Affairs unanimously relating to this bill, as follows:

REPORT

(To accompany S. 2352)

The Committee on Military Affairs, to whom was referred the bill (S. 2352), "To provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones," having considered the same, report favorably thereon with an amendment and with a recommendation that it do pass.

The amendment is as follows:

In line 3, page 1, strike out the word "or" and insert after the word "leave" the following words, "or commit any act in."

The bill, as amended, provides that whoever shall enter, remain in, leave, or commit any act in military areas or military zones prescribed, under the authority of an Executive order of the President, by the Secretary of War or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone, or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor, and upon conviction shall be liable to a fine of not to exceed \$5,000 or to imprisonment for not more than 1 year, or both, for each offense.

The purpose of this proposed bill is to permit the enforcement in Federal criminal courts of orders or restrictions prescribed by military authorities, with respect to military areas or zones under authority of an Executive order of the President. At the present time this bill is essential for the enforcement of orders issued by the Commanding General, Western Defense Command, with respect to military areas on the Pacific coast under the authority of Executive Order No. 9066, dated February 19, 1942. Said Executive Order No. 9066 authorizes the Secretary of War and the military commander whom he may from time to time designate whenever he or any designated commander deems necessary or desirable to prescribe military areas in such places and of such extent as he or the appropriate military commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any persons to enter, remain in, or leave, shall be subject to whatever restrictions the Secretary of War or the military commander may impose in his discretion. The Secretary of War has delegated to Lt. Gen. John L. De Witt, Commanding General, Western Defense Command, the authority to prepare and prescribe military areas in the Western Defense Command under said Executive Order No. 9066.

By Public Proclamation No. 1, dated March 2, 1942, General De Witt established certain large and extensive military areas in the Pacific coast area, including the States of Washington, Oregon, California, and Arizona. It will be impossible for General De Witt to enforce his orders pertaining to these military areas without the immediate passing of S. 2352. An amendment to this proposed bill is desired to make certain that willful violations of any order pertaining to the conduct of persons within a military area, as far example a curfew restriction, would be punishable under the provisions of the bill.

It is the opinion of the committee that immediate passage of this bill is a military necessity, not only with respect to the Pacific coast region but also with respect to any other part of the United States or its possessions in which it is desirable to create military areas under Executive Order No. 9066 or other Executive order.

Recommendations of the War Department follow:

WAR DEPARTMENT,

Washington, March 9, 1942.

Hon. ROBERT REYNOLDS,

Chairman, Committee on Military Affairs, United States Senate.

DEAR SENATOR REYNOLDS: There is enclosed herewith draft of a bill entitled, "A bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones," which the War Department recommends to be enacted into law.

The purpose of the proposed legislation is to provide for enforcement in the Federal criminal courts of orders issued under the authority of Executive Order of the President No. 9066, dated February 19, 1942. This Executive order authorizes the Secretary of War to prescribe military areas from which any and all persons may be excluded for purposes of national defense.

It is impossible to estimate the probable cost to the Government consequent upon the enactment of such legislation.

The Bureau of the Budget has advised that there is no objection to the submission of this proposed legislation for the consideration of the Congress, as the enactment thereof would not be in conflict with the program of the President.

Sincerely yours,

HENRY L. STIMSON,

Secretary of War.

In conclusion, Mr. President, I have before me now a letter dated March 13, 1942, addressed to me as chairman of the Committee on Military Affairs by Hon. Robert Patterson, Acting Secretary of War, reading as follows:

WAR DEPARTMENT,

Washington, March 13, 1942.

Hon. ROBERT REYNOLDS,

Chairman, Committee on Military Affairs, United States Senate.

DEAR SENATOR REYNOLDS: By telephone on Thursday, March 12, 1942, Lt. Gen. John L. De Witt, commanding the Western Defense Command, requested that action be taken to expedite passage of S. 2352 and H. R. 6758, bills to provide penalties for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones.

General De Witt is strongly of the opinion that the bill, when enacted, should be broad enough to enable the Secretary of War or the appropriate military commander to enforce curfews and other restrictions within military areas and zones. To that end, it is suggested that in line 3, page 1, of S. 2352 the word "or" be stricken and that after the word "leave" there be inserted the words "or commit any act in."

General De Witt indicated that he was prepared to enforce certain restrictions at once for the purpose of protecting certain vital national defense interests, but did not desire to proceed until enforcement machinery had been set up.

The War Department recommends immediate passage of the proposed law.

Sincerely yours,

ROBERT P. PATTERSON,

Acting Secretary of War.

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair). The Chair is informed that the amendment to which

the Senator has referred is included in the bill which has passed the House of Representatives.

Mr. REYNOLDS. That is quite true. I was about to ask that the title adopted by the Senate Committee on Military Affairs be amended by inserting after the word "leaving" the words "or committing any act in", and likewise that the words which the Presiding Officer has just been good enough to call to my attention be inserted in line 3, after the word "leave."

If the Senate shall pass the bill with the amendment adopted by the House, and, as a matter of fact, the amendment we inserted in the Committee on Military Affairs of the Senate, the bill passed by the Senate today would be identical with the bill passed today by the House of Representatives, and as a result there would not be any need for conference with the House.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 6758) to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones, which was read twice by its title.

Mr. REYNOLDS. I ask for the immediate consideration of the bill just laid before the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. DANAHER. Mr. President, reserving the right to object—and I have no substantial objection—I should like to know from the Senator from North Carolina to what extent he understands that "the restrictions or order" may go, and when I use those terms I am quoting the language of the bill.

Mr. REYNOLDS. It is my understanding that in order to carry out the objectives of the proclamation, and thus keep clear the military areas which have been defined by General De Witt, the commander of the western area, we are asked to provide the department with authority to keep certain individuals from entering or leaving military zones, or not complying with any of the curfew laws, or any regulations which might be established within those zones. The proposed legislation would provide United States district attorneys, charged with the enforcement of our laws in the military area under General De Witt, as well as anywhere else, with authority to prosecute offenders, and there is provided a penalty to the extent of a fine not to exceed \$5,000, or imprisonment for not more than 1 year, or both, for each offense.

Mr. DANAHER. Does the Senator understand what is meant by the use of the word "extent" in line 2, on page 2, of the Senate bill? In order to point out my inquiry specifically I should like to have the Senator tell us just exactly what is contemplated when a criminal prosecution can be brought against a person—and I quote from the bill—

If it appears that the accused should have known of the existence and extent of the restrictions or order

If we do not know what the restrictions are, and if we do not know what the

extent is. how can others be presumed to know?

Mr. REYNOLDS. The interpretation would, I think, be that if notice is given and restrictions are made, and regulations issued to that effect, persons will be prohibited from entering a certain area, and if they did enter that would be a violation. In other words, if they should enter against the regulations or against notices posted or if they should leave certain areas where they were instructed to remain in certain areas, they would be guilty of a violation under the proposed act.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. DANAHER. On page 1, in lines 8 and 9, Senators will find that the measure proscribes action contrary to the order of the Secretary of War. Does the Senator understand that such an order must be published before anyone would be bound to know of the extent of the application of the order?

Mr. REYNOLDS. That is my understanding. It would be based thereafter, I should think, upon a proclamation known as Proclamation No. 1, which was made by General De Witt.

Mr. DANAHER. Is that the proclamation referred to in the committee report?

Mr. REYNOLDS. The proclamation was issued on March 2, 1942.

Mr. DANAHER. That is the public proclamation referred to in the committee report?

Mr. REYNOLDS. Yes.

Mr. DANAHER. I should like to ask unanimous consent that the report be printed in full in the RECORD.

Mr. REYNOLDS. Mr. President, the proclamation will appear in the RECORD as part of my remarks.

Mr. DANAHER. Very well.

Mr. TAFT. Mr. President, I think this is probably the "sloppiest" criminal law I have ever read or seen anywhere. I certainly think the Senate should not pass it. I do not want to object, because the purpose of it is understood. It does not apply only to the Pacific coast. It applies anywhere in the United States where there is any possible reason for declaring a military zone. The bill provides:

That whoever shall enter, remain in, leave, or commit any act in any military area or military zone prescribed, under the authority of an Executive order of the President, by the Secretary of War, or by any military commander designated by the Secretary of War—

All that does is to let somebody say what a military zone is. Then it goes on and says that anyone who enters—contrary to the restrictions applicable.

It does not say who shall prescribe the restrictions. It does not say how anyone shall know that the restrictions are applicable to that particular zone. It does not appear that there is any authority given to anyone to prescribe any restriction. It then goes on:

Or contrary to the order of the Secretary of War.

That might be enforceable, because there power is given to issue some kind

of an order. Then it goes on and only makes it a crime—

If it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof.

In which case he is liable to go to jail for a year or be fined \$5,000.

Mr. President, I have no doubt an act of that kind would be enforced in wartime. I have no doubt that in peacetime no man could ever be convicted under it, because the court would find that it was so indefinite and so uncertain that it could not be enforced under the Constitution.

Mr. President, I do not want to object, because I understand the pressing character of this kind of legislation for the Pacific coast today, but I certainly think the measure should be redrafted in some kind of legal form, instead of in the form of a military order.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the bill (H. R. 6758) was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That whoever shall enter, remain in, leave, or commit any act in any military area or military zone prescribed, under the authority of an Executive order of the President by the Secretary of War, or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor and upon conviction shall be liable to a fine of not to exceed \$5,000 or to imprisonment for not more than 1 year, or both, for each offense.

The PRESIDING OFFICER. Without objection, Senate bill 2352, being an identical bill, will be indefinitely postponed.

DO NOT ENDANGER AMERICA'S OIL SUPPLY

Mr. LEE. Mr. President, the importance of petroleum to our success in this war cannot be overestimated. The terrific price which Hitler has paid in his effort to gain possession of the oil fields of Russia and the terrific price which Japan has paid to gain possession of the oil fields of the Dutch East Indies shows what an important role petroleum is playing in this war.

I read these headlines in the public press today:

Gas sale curb begins today.

Further down in the article I read:

Delivery of gasoline stocks to dealers beginning today will be cut one-fifth and there is a strong possibility that a further cut may be ordered by the War Production Board if Axis submarines continue to sink tankers in large numbers.

Mr. President, I am concerned today about our own supply of oil. Undoubtedly the Petroleum Coordinator is also concerned. Our known resources are diminishing. I am told that during the year 1941 we consumed three times as much crude petroleum as was discovered in new fields. The difficulty of our search

for new fields is increasing. The results of our efforts are not too encouraging.

The supply of petroleum may well determine the final outcome of the war. Therefore our Government must follow a policy which will insure us an adequate supply of this valuable material. We are today redoubling every effort to provide our soldiers with the engines of war, but to what purpose will that effort be if we are not able to provide those engines with fuel and lubrication?

Our Treasury Department, in an effort to provide our Government with adequate revenues, has suggested two changes in the taxing policy with respect to the oil industry, both of which would result in materially decreasing the discovery of new oil fields. These two suggested changes are: First, to eliminate the depletion allowance provision; and second, to eliminate the intangible development costs option. Both of these provisions are a part of a policy which this Government has followed since the World War.

To change the long-established policy of government in these two respects would militate tremendously against the small or independent companies. Eventually it would destroy most of them. This is bad from two standpoints. First, from the standpoint of an increased monopolistic tendency in the oil industry, and second, from the standpoint of decreasing the discovery of new fields. This second result would be disastrous at the present time.

According to published records, the independent oil companies discovered 73 percent of our new oil fields in 1941. The so-called independents are the "wildcaters." They are the men who pioneer in search of new fields. Therefore, anything that would reduce or limit the discovery of new fields at this time would be against our national welfare.

HISTORY OF THE DEPLETION ALLOWANCE

Mr. President, allow me to recite briefly the history of the depletion clause and the intangible development-costs option.

In 1917 and 1918 Congress faced a situation very similar to the one which we face today. Then, as now, petroleum was an important factor. We had what we now know to be a relatively small industry engaged in the production of this important war essential.

Congress at that time, in recognition of the importance of oil to our success, resolved that it would permit nothing to interfere with the exploration of new fields in order that we should not be found lacking in this vital material. Then, as now, Congress was confronted with the necessity of raising money. We had to meet the greatest obligations in the history of the country up until that time.

Petroleum at that time was selling at a very high price, and great fear was felt lest our supply become exhausted. In the consideration of the revenue measure in 1918, the Congress recognized the importance of petroleum. It also recognized that petroleum was not found as the result of any exact science but rather as the result of a pioneering and exploratory effort so full of hazards that

capital was hesitant to respond to its call.

Congress, at that time, in order to invite more capital into this important effort, and in recognition of the uncertainties of the very nature of the operations of the petroleum industry, provided for a depletion allowance to those engaged in the petroleum industry, based on discovery value. This allowance had a twofold base:

First. Because of the difficulty of ascertaining what amount of oil had been found in a well that was discovered, it was recognized that every barrel of oil sold might be a part of the capital invested in that endeavor.

Second. It was also recognized that many of the efforts to find the oil, although very expensive, might prove fruitless.

Therefore, it was necessary to find a provision which would be fair to the industry as a whole. Thus the provision for depletion allowance was developed.

Time has proved the wisdom of Congress. It was a wiser policy than the Congress itself knew.

Immediate exploration efforts were started throughout the United States and continued persistently and continually until, at the time the recent war started, the United States had the greatest supply of known petroleum reserves in its entire history, and approximately two-thirds of the known reserves of the entire world. No other country had done so well. Our system had gotten results.

In 1918 the depletion allowance was provided for through a recognition of the value of the oil at the time of discovery as capital. In 1926 it was continued, and for administrative purposes was simplified through the adoption of the present percentage method.

This encouraged the independent. He brought in new fields. He drilled dry holes. He took it on the chin. He was up. He was down. But he found this important essential of war. In most cases all the independent has is hope. We must not kill that hope now. It would be a most unwise policy at this critical hour when the Petroleum Coordinator is curbing the sale of gasoline for us to destroy the incentive to the petroleum industry to find new oil reserves.

Furthermore, from the standpoint of revenue to the Government, the policy of the depletion allowance has developed a great industry which is yielding revenue in amounts many times over the amounts the Treasury Department gave up in allowing these depletion claims.

Some have said that the depletion allowance is in the form of a tax avoidance. If that were so, then the petroleum industry's earnings would reflect this excessive revenue. Yet they do not. For I am informed from reliable sources that the over-all earnings of the petroleum industry are well under the earnings of industry in general throughout the United States. Furthermore, I have been advised that the bulk of the earnings in the oil industry are not from the oil producers but from other phases of the industry.

INTANGIBLE DEVELOPMENT COSTS OPTION

Now let me trace the history of the intangible development costs option.

The oil producer runs great risks in his exploratory effort. Many of the wells drilled prove to be unproductive, and many of the wells that appear at first to be productive are soon proven failures. These hazards have been recognized as justifying some special application in tax measures.

For more than 25 years the Treasury Department, in recognition of this situation, has permitted the producer in the petroleum industry to make an election as to whether or not the intangible expenses involved in development of petroleum should be capitalized or charged off as an expense item. This is not a continuing option. Once the election is made, it is binding throughout the life of that operator.

Many companies elected to capitalize. Most of these had sufficient capital to carry on their operating activities, or they could by the capitalization of such items raise new money by the issuance and sale of stock.

But most of the small operators, commonly known as independents, have, during this period, charged off their intangible development expenses in making their income-tax returns. This option has been a great assistance to the smaller operator, and he has built his accounting programs upon this policy.

The right of the Treasury to make such a regulation has been recognized by the courts. The wisdom of this provision has been accepted by succeeding Congresses. This policy has promoted the growth of the small operators in the oil industry.

It is doubtful if the Treasury Department in the long run loses anything by the operation of this option, because it receives revenue more on an installment basis rather than receiving it all at one time. To change this policy would eventually destroy the small companies and thus kill the goose that lays the golden egg.

Mr. President, let me conclude by saying that I cannot warn too strongly against the danger to our supply of petroleum if we change our proven policy in these two respects. Please bear in mind I am not asking a change in our laws. I am resisting change. It would be a short-sighted policy to abandon a proven program for an immediate increasing in revenue which would undoubtedly result in a long-time decrease in revenue, and at the same time threaten our supply of petroleum at this critical hour.

EXECUTIVE SESSION

Mr. MURDOCK. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate messages from the President of

the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the calendar.

SUPREME COURT OF HAWAII

The legislative clerk read the nomination of Louis LeBaron, of Hawaii, to be associate justice of the Supreme Court of the Territory of Hawaii, which nomination had been previously passed over.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

CIRCUIT COURT OF HAWAII

The legislative clerk read the nomination of Carrick H. Buck, of Hawaii, to be judge of the first circuit in the circuit courts of the Territory of Hawaii, which nomination had been previously passed over.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. MURDOCK. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

That completes the calendar.

Mr. MURDOCK. I ask that the President be notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

RECESS

Mr. MURDOCK. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until tomorrow, Friday, March 20, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 19 (legislative day of March 5), 1942:

DIPLOMATIC AND FOREIGN SERVICE

Guy W. Ray, of Alabama, now a Foreign Service officer of class 6, and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Maj. Gen. Jonathan Mayhew Wainwright (brigadier general, Regular Army), Army of the United States, for temporary appointment as lieutenant general in the Army of the United States.

APPOINTMENTS AND PROMOTIONS IN THE NAVY MARINE CORPS

Capt. (temporary) Graham H. Benson to be a captain in the Marine Corps from the 1st day of March 1942.

The following-named naval aviators of the Marine Corps Reserve to be second lieutenants in the Regular Marine Corps, in accordance with the provisions of the Naval Aviation Personnel Act of 1940, to rank from the dates stated:

Lowell S. Reeve, from the 1st day of April 1940.

Allen H. Anderson, from the 15th day of April 1940.

Elkin S. Dew, from the 15th day of April 1940.

Roscoe M. Nelson, from the 7th day of June 1940.

Walter J. Meyer, from the 15th day of July 1940.

Frank E. Hollar, from the 15th day of July 1940.

Thomas J. Myers, Jr., a citizen of North Carolina, to be a second lieutenant in the Marine Corps from the 31st day of August 1941.

The following-named citizens to be second lieutenants in the Marine Corps from the 31st day of January 1942:

Owen P. Lillie, a citizen of Michigan.

Evan E. Lips, a citizen of North Dakota.

James W. Love, a citizen of Tennessee.

George F. McInturf III, a citizen of Tennessee.

Guy W. Comer, Jr., a citizen of Illinois.

John R. Kerman, a citizen of California.

Francis L. Fagan, a citizen of Wisconsin.

Lincoln N. Holdzkorn, a citizen of Illinois.

Charles R. Durfee, a citizen of North Dakota.

Thomas F. Mullahey, Jr., a citizen of New York.

William L. Culp, a citizen of West Virginia.

Charles F. Widdecke, a citizen of Texas.

Valentine E. Diehl, a citizen of New York.

John R. Lesick, a citizen of Pennsylvania.

Richard Phillippi, a citizen of Oregon.

Bruno J. Andruska, a citizen of Illinois.

John G. Dibble, a citizen of California.

William K. Crawford, a citizen of North Dakota.

Cleland E. Early, a citizen of Texas.

James M. Robinson, a citizen of the Territory of Hawaii.

William R. Burgoyne, Jr., a citizen of Pennsylvania.

Louis H. Wilson, Jr., a citizen of Mississippi.

Maurice J. Kelly, a citizen of Oregon.

William L. Flake, a citizen of Arizona.

Thomas F. Cave, Jr., a citizen of California.

Vincent J. Gottschalk, a citizen of Michigan.

George A. Gilliland, a citizen of California.

Cliff A. Jones, Jr., a citizen of Texas.

William R. Adams, a citizen of Illinois.

Bryan B. Mitchell, a citizen of Georgia.

John P. Storm, a citizen of California.

Rodney V. Reighard, a citizen of California.

John B. Erickson, a citizen of New York.

John N. McLaughlin, a citizen of Georgia.

Robert Mentzinger, a citizen of Pennsylvania.

Charles E. Hinsdale, a citizen of North Carolina.

Ralph Hornblower, Jr., a citizen of Massachusetts.

William H. Enfield, a citizen of Kansas.

James L. Denig, a citizen of Ohio.

John W. Bustard, a citizen of the Territory of Hawaii.

Maurice J. Coffey, Jr., a citizen of Ohio.

Joseph R. Clerou, a citizen of California.

Paul H. Groth, a citizen of Iowa.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 19 (legislative day of March 5), 1942:

SUPREME COURT, TERRITORY OF HAWAII

Louis LeBaron to be associate justice of the Supreme Court, Territory of Hawaii.

CIRCUIT COURTS, TERRITORY OF HAWAII

Carrick H. Buck to be judge of the first circuit, circuit courts, Territory of Hawaii.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Maj. Gen. Jonathan Mayhew Wainwright for temporary appointment as lieutenant general in the Army of the United States.

POSTMASTERS

MASSACHUSETTS

W. Dana Holmes, Barnstable.

MISSISSIPPI

Howard C. Overstreet, Brooklyn.

Mrs. Floyd J. Robinson, Raleigh.

Mary S. Farish, Whitfield.

PUERTO RICO

Concepcion Torrens de Arrillaga, Anasco.

RHODE ISLAND

Isabel T. Schofield, Fiskeville.

PROMOTIONS IN THE NAVY

TO BE VICE ADMIRALS FOR TEMPORARY SERVICE

Frederick J. Horne

Russell Willson

TO BE REAR ADMIRALS FOR TEMPORARY SERVICE

Freeland A. Daubin

Robert M. Griffin

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 19, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Master, who art the Good Shepherd, we rejoice that Thou hast crowned Thyself with a name which brings to us everything that is holy and true. Bless and lead us with the life Thou dost inspire, a life which is a glorious adventure in a world with its toilsome way, its market place, and with its comfortless songs of the night. For the new miracle of dawning light flushing the skies with prophecies of a new day we give Thee thanks. In Thy fold we pray Thou wilt deliver us from useless fears and aimless doubts and teach us the lesson of fair judgment that we may share in common human need.

Thou Christ, who standest for men in all their relations, Thou who dost enter their estate and showest mercy, Thou who art the universal bounty giver, driving the night away from the eyes of weary watchers and bringing from captivity the joyous springtime of life, in Thy holy name we pray. Thou who art the way of time and the way of eternity, come and lift Thy wisdom and pity upon the fallen ruins of our humanity and mold them into forms deeper than the sea, wider than the world, ever leading its untroubled soul to the heavens of thought. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced

that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2198) entitled "An act to provide for the financing of the War Damage Corporation to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes."

THE LATE WILLIAM E. COX

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. BOEHNE].

Mr. BOEHNE. Mr. Speaker, it is my sad duty to inform the House of Representatives of the death of a predecessor of mine in this body, the Honorable William E. Cox, of Jasper, Ind., who departed this life on March 11, 1942. Mr. Cox was a Member of the Sixtieth, Sixty-first, Sixty-second, Sixty-third, Sixty-fourth, and Sixty-fifth Congresses. He was an intimate friend, and served during two Congresses with my own father. Only a few are now remaining as Members of this House who served with Mr. Cox, but those who do recall him, remember him as the father of legislation designed to extend Federal aid for the highways of the United States wherever the United States mails were carried. He was an active Democrat in his constituency and in the State. He was a man of deep convictions. His was a very positive character who preferred defeat to a compromise on principle.

Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the Record, and insert as a part of those remarks a resolution adopted by the Dubois County Bar Association a few days ago relative to the untimely passing of this former statesman.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. LUDLOW] to address the House for 1 minute.

Mr. LUDLOW. Mr. Speaker, I am pleased to have this opportunity to join my colleague, the gentleman from Indiana [Mr. BOEHNE] in paying tribute to the memory of a distinguished and good man who served his district and his country with exceptional ability in this body for 12 years, from 1907 until 1919.

William Elijah Cox was a homespun character, as rugged as the everlasting hills of his native State. He was plain, outspoken, and typically Hoosier in his personal traits. In him there was no guile, and he was honest as the day is long.

All of his 80 years were spent as a resident of Dubois County, Ind., where he was born on September 6, 1861. He attended the common and high schools of Huntingburg and Jasper, Ind., and was graduated from Lebanon University, Tennessee, and from the law department of the University of Michigan at Ann Arbor. He was prosecuting attorney of the eleventh judicial district of Indiana for 6 years before he entered Congress on March 4, 1907. In the House of Representatives he was chairman of the Committee on Expenditures in the Treasury Department and was a member of two other important committees, the Post Of-

fice and Post Roads and Invalid Pensions. During World War No. 1 he was a vigorous and loyal disciple of Woodrow Wilson and rendered valuable support to the war effort. Surviving him are Mrs. Cox and a very charming and talented daughter.

I was a member of the Press Gallery all of the time Mr. Cox served in Congress, and I knew him intimately. He was a man of high ideals and perfect rectitude and his public service was of such a quality that his name will be honored and revered in Indiana throughout the years to come.

LABOR AND LABOR DISPUTES

The SPEAKER. The Chair recognizes the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Speaker, because of the fact that a great deal of interest is manifested in the subject of labor and labor disputes, I desire to give for the information of the House certain facts which were furnished to a subcommittee of the Appropriations Committee this morning by Dr. Lubin, the head of the Bureau of Labor Statistics. I do it without comment, but you can make such use of these statistics as you desire.

In August 1941 561,000 man-days were lost due to strikes; in September, 153,000; October, 304,000; November, 141,000; December, 21,600; January, 7,100; February, 33,800. The figures for March are not, of course, complete, but we are advised they will be lower than the figures for February.

In order to compute the number of man-hours lost because of strikes—and by the way these are strikes in defense industries only—we are advised by the Bureau of Labor Statistics that we should multiply these figures by 8½ hours.

As to the number of strikes in industry generally, using a comparable period: In August there were 1,800,000 man-days lost due to strikes; in September, 1,922,000; in October, 1,903,000; in November, 1,317,000; in December, 434,000; in January, 390,000; in February, 450,000.

It is interesting to note that the number of people employed in manufacturing industries in this Nation in the beginning of 1942 was 12,800,000, of which number 3,500,000 were engaged in defense industry, or approximately 25 percent. It is further interesting to note that it is expected as a result of statistics now filed that in the last quarter of 1942 there will be 14,400,000 people employed in manufacturing industries throughout the Nation, of which number 9,900,000 will be working on direct national defense, or a total of 65 percent. This last set of figures indicate a very hopeful sign.

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I desire to extend my remarks in the Appendix of the Record on two subjects: To include in one a short editorial on What Government Wants from Advertising; and in the other an article on The Republican War Policy, by the gentleman from Massachusetts [Mr. MARTIN], our distinguished minority leader.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to place in the Record a letter I received this morning.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SCHULTE]?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include an article by Carter R. Bryan entitled "Lake the Pea in the Shell Game." The cost of this article, according to estimate of the Public Printer, is \$108.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include a short poem by a soldier located at Pearl Harbor.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. CUNNINGHAM]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. REES]?

There was no objection.

[Mr. REES of Kansas addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record in connection with an announcement made by the gentleman from Louisiana [Mr. PLAUCHÉ] and to include an editorial from a Lake Charles, La., paper; and my second request is to extend my own remarks in the Record in connection with the letting of a Maritime Commission contract and to include an editorial from the New Orleans States and also an editorial from the New Orleans Item.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. HÉBERT]?

There was no objection.

HEARING OF CASES UNDER EXPEDITING ACT OF FEBRUARY 11, 1903

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6005) to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. McLAUGHLIN]?

There was no objection; and the Speaker appointed the following conferees on the part of the House: Messrs.

SUMNERS of Texas, McLAUGHLIN, and HANCOCK.

PERMISSION TO ADDRESS THE HOUSE

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. SPARKMAN]?

There was no objection.

[Mr. SPARKMAN addressed the House. His remarks appear in the Appendix.]

PENALTY FOR VIOLATION OF RESTRICTIONS OR ORDERS WITH RESPECT TO PERSONS ENTERING OR LEAVING MILITARY AREAS OR ZONES

Mr. MAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6758) to provide a penalty for violation of restrictions or orders with respect to persons entering or remaining in, or leaving military areas or zones.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. MAY. Mr. Speaker, this bill has been reported by the House Military Committee by unanimous vote. It provides a penalty for any person who shall leave, remain in, or commit any act in any military area or military zone prescribed under the authority of an Executive order of the President or by the Secretary of War or by any military commander designated by the Secretary of War contrary to War Department restrictions applicable in these zones or military areas.

It provides specifically, and the committee was very careful to specify in the legislation, that these penalties shall apply only if it shall appear that the party charged knew or should have known of the existence or extent of the restrictions. In other words, we want to protect any citizen of the country against being caught up who is unaware of the order or of the restrictions or regulations made by the Secretary of War. It makes it only a misdemeanor, not a felony.

Mr. MICHENER. From what the gentleman said, I was led to believe that the purpose of the bill is to implement the Executive order made by the President in reference to this matter. The last statement the gentleman has made would indicate that the bill is for the protection of those who may be affected by the law. Will the gentleman clarify?

Mr. MAY. There is nothing inconsistent in the two statements. The last statement I made was to the effect that if a man comes innocently into one of these areas, he will be in the position that, when he is charged, the prosecutor or the military commander having charge of him will have to assume the burden of proof that he has guilty knowledge of the restricted nature of the area.

Mr. MICHENER. Further reserving the right to object, Mr. Speaker—and I

shall not object—I do think that bills of this type, interfering with or even protecting the rights of citizens, should be given some consideration on the floor of the House and should be thoroughly understood and debated before their passage.

Mr. MAY. May I say to the gentleman that I do not disagree with what he has just said, and that we gave very careful consideration to this matter? It is intended to apply particularly to the situation that exists on the west coast at this time. The gentleman knows the purpose of the legislation.

Mr. MICHENER. Yes; I understand thoroughly the purpose of the legislation. At the same time this Congress is not warranted in passing legislation, even though the purpose is laudable, without knowing all the details and the effect it will have on the people.

Mr. MAY. Quite right; but this is extremely urgent.

Mr. SPARKMAN. Reserving the right to object, Mr. Speaker, may I say that while our committee was out on the west coast studying this problem, one of the first things General De Witt called to our attention was the fact that even though he was given the authority to declare these to be restricted and prohibited areas, he had no way of enforcing the order by penalty if anyone violated it. All he could do was to move them off. If they came back, there was no penalty provided in the law. He asked for this specific legislation. It is needed immediately because that evacuation is taking place now.

Mr. MICHENER. Yes; that is in exact harmony with my first statement, that this bill simply implements the Executive order which is now in force and effect.

Mr. MAY. It simply provides a means of making it effective; that is all.

Mr. RICH. Reserving the right to object, Mr. Speaker, may I ask the gentleman if these zones are marked so that citizens of this country cannot get into them without their knowledge and then being penalized for coming into these areas?

Mr. MAY. These zones are definitely defined in orders issued by the commander in the particular instance, by the Executive order issued by the President, or by regulations made by the Secretary of War. Citizens of this country will never be questioned about them, as a matter of fact. This is intended for a particular situation, about which the gentleman knows.

Mr. RICH. The ordinary citizen who is trying to obey the law could not get into trouble about this?

Mr. MAY. That is the reason we put in here that they would have to prove that he knew about it.

Mr. ANDREWS. Reserving the right to object, Mr. Speaker, it has been suggested to me that you might insert the word "knowingly" in the bill. I do not think it is necessary, but I do not have a copy of the bill in front of me.

Mr. MAY. It is in here.

Mr. ANDREWS. That is what I thought.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whoever shall enter, remain in, or leave any military area or military zone prescribed, under the authority of an Executive order of the President, by the Secretary of War, or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor and upon conviction shall be liable to a fine of not to exceed \$5,000 or to imprisonment for not more than 1 year, or both, for each offense.

With the following committee amendment:

Page 1, line 3, strike out "or" and after "leave", insert "or commit any act in."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones."

COMMITTEE ON INSULAR AFFAIRS

Mr. DOUGHTON. Mr. Speaker, I offer a privileged resolution (H. Res. 461) and ask for its immediate consideration. The Clerk read the resolution, as follows:

Resolved, That during the remainder of the Seventy-seventh Congress the Committee on Insular Affairs shall be composed of 23 members.

The resolution was agreed to.

WILLIAM JENNINGS BRYAN

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, the gentleman of whom I am about to speak was born on March 19, 1860, at Salem, Ill.

He was graduated from the University of Illinois in 1881 and from the Union College of Law in 1883. Was elected to the United States Congress in 1890 and 1892. During the Spanish-American War he served as colonel of a Nebraska regiment of volunteers. He was Secretary of State under Woodrow Wilson. A top-rung statesman, an unequaled humanitarian; he was a superior orator and a Christian gentleman.

He made his declaration as a supporter of labor when he said:

You shall not press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold.

As nation builders and conservationists, he placed the farmer first when he said:

Burn down your cities and leave our farms, and your cities will spring up again as if by magic; but destroy our farms and the grass

will grow in the streets of every city in the country.

This was William Jennings Bryan, whose birthday we honor today.

ELECTION TO COMMITTEES

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution (H. Res. 462), and ask for its immediate adoption.

The Clerk read as follows:

Resolved, That JOSEPH E. TALBOT, of Connecticut, be, and he is hereby, elected to the following committees of the House of Representatives: Committee on Insular Affairs, Committee on Election of President, Vice President, and Representatives in Congress, and Committee on Education.

The resolution was agreed to.

THE LATE EDWARD WATERMAN TOWNSEND

Mr. KEAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KEAN. Mr. Speaker, on last Monday Edward Waterman Townsend died in New York City in his eighty-eighth year.

Mr. Townsend represented the district which I now have the honor to serve in the Sixty-second and Sixty-third Congresses.

A Democrat, he was later appointed postmaster of the town of Montclair, N. J., by President Wilson, and served in that capacity for 8 years.

Mr. Townsend had a brilliant career as a newspaperman and a short-story writer, and was the author of the Chimney Fadden stories which many of you may remember.

His service to his community and the Nation will be gratefully remembered.

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include two editorials, one from the Los Angeles Examiner, entitled "The Follies of 1942," and the other from the Santa Monica Evening Outlook, entitled "Why Not a Peoples' Offensive?"

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FULMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

[Mr. FULMER addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the Record and to include an editorial from the Jackson Daily News, of Jackson, Miss.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my re-

marks in the RECORD and to include a short article.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein certain excerpts from a resolution and also from a letter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

VOLUNTEER WHEAT

Mr. PACE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

[Mr. PACE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a recent address.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PITTINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in connection with the St. Lawrence seaway, and include a letter from the Maritime Commission to the chairman of the Committee on Rivers and Harbors, the gentleman from Texas [Mr. MANSFIELD].

The SPEAKER. Is there objection?

There was no objection.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and insert an editorial from the Fort Scott Herald.

The SPEAKER. Is there objection?

There was no objection.

WILLIAM JENNINGS BRYAN

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. McLAUGHLIN. Mr. Speaker, this is the anniversary of the birth of the great commoner, William Jennings Bryan, of Nebraska. Mr. Bryan was a distinguished Member of this body, the leader of a major political party, an unexcelled orator, a soldier, and a Secretary of State of the United States. He was a great moral leader. A true liberal, many of his reforms have become a part of the law of the land. He was of the common people, a champion of the poor and the oppressed, a friend of labor and of agriculture. It is appropriate that we pause in our deliberations today to honor the memory of this illustrious American.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix.]

ELECTION TO A COMMITTEE

Mr. DOUGHTON. Mr. Speaker, I offer the following resolution (H. Res. 463), which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That HARRY SAUTHOFF, of Wisconsin, be, and he is hereby, elected a member of the Committee on Insular Affairs.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Baldrige, one of its clerks, announced that the Senate insists upon its amendment to the bill (H. R. 6691) entitled "An act to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes," disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. BYRD, and Mr. LA FOLLETTE to be the conferees on the part of the Senate.

PRODUCTION OF ALCOHOL

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6543) to amend certain provisions of the Internal Revenue Code relating to the production of alcohol, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Page 2, lines 12 and 13, after "warehouse:" insert "Provided further, That taxes on distilled spirits removed under the provisions of this paragraph, either before or after redistillation, if such distilled spirits or any portion thereof are lost shall be remitted or refunded in the same manner and under the same conditions as the tax on alcohol would be remitted or refunded under the provisions of section 3113 of the Internal Revenue Code."

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. Will the gentleman explain the amendment?

Mr. DOUGHTON. Mr. Speaker, this bill was called to our attention by the Treasury Department, the Alcohol Division of the Bureau of Internal Revenue. The bill was introduced and passed unanimously, at their request. About all I know about this amendment is that the same authorities, the Alcohol Division of the Bureau of Internal Revenue, say that this amendment is all right.

Mr. MARTIN of Massachusetts. This is an amendment which the Department has agreed to?

Mr. DOUGHTON. Yes; and are satisfied with.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. JENKINS of Ohio. I presume the gentleman from Massachusetts [Mr.

TREADWAY] knows about this, or the gentleman from New York [Mr. CROWTHER]?

Mr. DOUGHTON. Not that I know of.

Mr. JENKINS of Ohio. There is no opposition that the gentleman knows of? Mr. DOUGHTON. There is no opposition, I am sure.

Mr. JENKINS of Ohio. And there was no opposition in our committee at the beginning, was there?

Mr. DOUGHTON. No; not at all. It was passed by unanimous consent.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. RICH. Is this the bill that was passed by unanimous consent, wherein the Department was permitted to remit the tax on liquor which evaporated in storage under certain prescribed regulations, after a certain number of years?

Mr. DOUGHTON. It is one of those bills. There were two of them. The gentleman from Illinois [Mr. DIRKSEN] and the gentleman from California [Mr. GEARHART] were very much interested in those bills.

Mr. RICH. When I read the RECORD the next day after this bill passed and saw the enormous amount of evaporation that took place, I could hardly believe it was possible. I do not know just how this evaporation takes place. I think somebody ought to make an investigation of that. I think, if you will look at the RECORD, you will notice that a barrel of whisky, which contained some 40 gallons, lost 17 gallons in 3 or 4 years. I think perhaps somebody may have a nail driven in there and a straw placed in and it might have leaked out that way, or perhaps somebody might take the bung out and let a little bit leak out. Certainly I think you ought to make an investigation of this. It does not seem reasonable to me. I was very much surprised when the bill was passed. We need all the liquor tax we can get, and we must be sure we get the tax and not let it evaporate. Too much is and has evaporated the past several years. We might all evaporate if we do not watch out in the form of taxation being proposed.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. MARTIN of Massachusetts. I would say the gentleman from North Carolina does not drink, and he does not know anything about that.

Mr. DOUGHTON. He is not an expert on any phase of the subject.

Mr. RICH. That is the reason I want the gentleman from North Carolina to know that this bill is all right. When he knows it, I know we will not get legislation that is not right. I have confidence in him, but I think the gentleman from North Carolina ought to make an investigation of this bill to see that it is a good bill. I question whether you should put this through until you know absolutely yourself that it is all right.

Mr. DOUGHTON. I will say to the gentleman that the bill has already passed. These are some minor amendments.

Mr. RICH. But you can hold it up if it is not right, and I hope you will do it. I am going to place the responsibility

on you, because I have confidence in you; and if it goes through and it is wrong, you will be responsible.

Mr. DOUGHTON. And I put my confidence in the Bureau of Internal Revenue and the gentleman from Illinois [Mr. DIRKSEN], in both of whom I have full confidence.

Mr. RICH. I want to know that you know it is right. I am not putting my faith in bureaus; it is our duty to know that a law is good for the country.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. JENKINS of Ohio. I would like to say that the same arguments have been expressed in the committee several times and the Treasury is thoroughly posted on all of that, and they assure us there is no occasion for the gentleman to be afraid.

Mr. RICH. Are you sure there is not somebody down there in the Treasury that might have a straw in the barrel? We must not have any leaks or any more evaporation.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

WILLIAM JENNINGS BRYAN

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. HILL of Colorado. Mr. Speaker, I cannot let this opportunity go by with only gentlemen on the Democratic side of the aisle saying something about the great commoner, William Jennings Bryan.

I should say something about him this morning because God knows we need his spirit alive again in the West. Every silver mine in the great State of Colorado—and in all the West today—faces a threat of being closed for good. I wish we had his spirit alive to help the silver miners of the great United States because with his spirit, if it should come again and be born in the minds and hearts of some of these men down in the headquarters of the War Production Board who issued Priority Order No. 56-A, I am sure they could never sleep again as long as these orders remain in force. We hope his great spirit will fill the hearts and souls of these gentlemen and hastily bring about a revocation of this priority order which is stirring every mining section of the entire United States.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, I knew William Jennings Bryan from 1896 to the date of his sudden passing. I worked with and for him, traveled with him and admired him. I think he was a truly great American. We all know he was a

great American. He effected many salutary reforms. For his unselfish endeavors in the interest of the masses he was continually assailed and attacked the same as were Washington, Jefferson, Lincoln, Wilson, and even our great President today. We all remember the unfair criticism of President Lincoln in a very dark era by Horace Greeley, because Greeley himself aspired to be President. It is to be regretted that great and unselfish men who try to aid the American people especially and humanity generally should always be so assailed and criticized when predatory interests do not quite agree with their philosophy, with their aims, and their aspirations.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, I too would like to say a word in reference to William Jennings Bryan, in respect to his Christian manhood. He was a worker in the churches of this country wherever he went. In Florida he conducted a great Sunday school every Sunday morning in the park, and the people of Florida and visitors to that State flocked to hear him in innumerable numbers. He was a great Bible student. I commend any man who has that spirit and who tries to do the things which are uplifting, who teaches the gospel of Jesus Christ in America or any other land. The presence of an audience of thousands on Sunday morning in the Florida parks to hear the gospel taught is a tribute to any man. William Jennings Bryan was one of the greatest Bible school teachers we have ever had. Would that we had more men in public life today who were students or teachers of the Holy Word.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DOCUMENTARY EVIDENCE OF UNITED STATES CITIZENSHIP

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I call up House Resolution 443, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into a Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6600) providing for the issuance of documentary evidence of United States citizenship. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Immigration and Naturalization, the bill shall be read for amendment under the 5-minute rule. At the con-

clusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommend.

Mr. SABATH. Mr. Speaker, I shall yield half of the time, under the rule, to the gentleman from New York [Mr. FISH].

I yield myself 10 minutes.

The SPEAKER. The gentleman from Illinois is recognized for 10 minutes.

Mr. SABATH. Mr. Speaker, this rule makes in order the bill H. R. 6600, which comes to us unanimously reported by the Committee on Immigration and Naturalization. Although this bill comes from the Committee on Immigration and Naturalization it is not a naturalization bill, as some Members believe. This bill has for its purpose merely the aiding of American-born citizens who cannot somehow or other prove that they were born where they were born. The bill was originally introduced by the chairman of the Committee on Immigration, and it was favorably reported and the report was filed by the gentleman from Louisiana [Mr. ALLEN].

I am satisfied that the legislation is a step in the right direction and that it is necessary, because we have in this country many, many thousands of American-born citizens who cannot somehow or other prove the time or place of their birth. This merely will permit that Bureau of the Government dealing with immigration and naturalization to issue to such people, after the Government officials have satisfied themselves by their own investigation that these individuals are American-born, a certificate of their American origin. In view of this fact I think there should be no opposition to the rule, and I hope there will be no opposition to either the rule or the bill.

This bill does not apply to foreign-born American citizens, those who have been made citizens through our processes of naturalization. We have in this country a very large number of foreign-born citizens, many of them trying to become citizens but who through no fault of their own have been unable to obtain naturalization papers. I hope the Department will give these people deserving of becoming American citizens a proper opportunity of doing so. I know that in these crucial and critical times many people labor under the impression that numbers of these foreign-born, or even those born in this country with foreign names, cannot be trusted. The same arguments were made during the first war. At that time I assured the House and the country that by far the greater number of the foreign-born residing in the United States and those who had been naturalized were absolutely loyal to this country, ready and willing to do their part for their adopted country, and that assurance was proven by the tremendous number of voluntary enlistments and wholehearted cooperation during the last war. What applied then applies today. I concede that there is a small number of misguided men in this country, men who came here from Germany or Italy, who

may not have seen the advantages this country is offering them, and the advantages they enjoy, but this is only a small group and mainly among the new arrivals, in whom the Nazi-Fascist ideology has been unfortunately instilled and in which they seem to believe. I hope every effort will be made to point out to these people their duty to their adopted country, or at least their duty to the country in which they reside. As to the rest of them I know, whether they are Norwegians, Danes, Poles, Czechoslovakians, or any other nationality, they are loyal and desire to be of service in any way possible. I hope, therefore, that in the future some Members will desist from questioning the patriotism and loyalty of these people. We should encourage them and give them a fair chance, a deserved opportunity to be of service and of aid in this our critical moment.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes; I yield.

Mr. VOORHIS of California. Do I understand that this bill will take care of the problem that is confronted by a lot of men, some of whom are even veterans of the first World War and have an honorable discharge but who, when they go to try to get employment are told they must produce a birth certificate, but in some cases they cannot get a birth certificate because no certificates ever were required to be kept? As I understand it, the first section of this bill will make it possible for those people to go in and simply submit any satisfactory type of evidence and then get a certificate of citizenship without having to go back to the home county to get a birth certificate.

Mr. SABATH. The gentleman is correct as to the first part but not as to the second part, as this only applies to American-born.

Mr. VOORHIS of California. That is very important.

Mr. SABATH. I will give you an illustration which just came to me. We had a great fire in the city of Chicago in 1871. The records were burned and many of the people who were born before that time in the city of Chicago are not able to prove by the records that they were born there or on what day they were born. This will aid those people and thousands of others in other sections of the country where birth certificates have not been kept or records made of births in various counties have been lost or destroyed. It is only since the turn of the century that many States required the keeping of vital statistics.

Mr. NORRELL. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Arkansas.

Mr. NORRELL. Will the gentleman state why these people cannot be naturalized like other foreign citizens?

Mr. SABATH. They do not have to be naturalized. They are American citizens.

Mr. NORRELL. No; they are not American citizens.

Mr. SABATH. They were born here. Mr. NORRELL. But they are considered foreign citizens.

Mr. SABATH. No. This only applies to the American-born citizen and to no one else.

Mr. NORRELL. There is no present way that these people can become citizens of the United States?

Mr. SABATH. They are citizens, but they cannot prove it by documentary evidence that is exacted from them by the Bureau of Naturalization.

Mr. HINSHAW. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from California.

Mr. HINSHAW. I am delighted to see this bill come before the House, because I recognize and have recognized this problem for a long time. Can the gentleman tell me what evidence was given the committee concerning the satisfactory proof angle? What would they consider to be satisfactory proof?

Mr. SABATH. That is left to the Bureau of Naturalization, which has a splendid record behind it, and which is subjecting everyone to a thorough investigation before it passes upon the application. That same policy, I am satisfied, will be pursued in this instance. I am not fearful that there will be any laxity in their activities in the future, judging by the past.

Mr. HINSHAW. The gentleman would join with me in hoping that the Department will forthwith, upon the passage of this bill, publish some facts or some notation of facts that they will require as satisfactory proof?

Mr. SABATH. I know it will. I may say to the gentleman that this matter has been before the Committee on Immigration. I know how that committee is constituted, and when that committee, by unanimous vote, reports a bill to the House I am satisfied that it deserves favorable consideration.

Mr. HINSHAW. I join with the gentleman in that thought.

Mr. HAINES. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania.

Mr. HAINES. I was wondering whether we do not have ample law right now to take care of the situation and that this bill will expedite it.

Mr. SABATH. There is no law governing the situation now unless they are subjected to an unnecessary amount of trouble, time, and expense.

Mr. HAINES. If the gentleman will yield further, may I say that a gentleman came into my office I have known for probably 30 years. He was born here in the city of Washington, he has been in the employ of the Government since 1911, and right now he has got to get his birth certificate. There is no record. He cannot find a record of his birth.

Mr. SABATH. There are many of those. Perhaps many Members right here might have trouble proving the place and date of their birth, because records have not always been kept.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Can the gentleman inform the House as to the probable number of persons that would be involved under this bill?

Mr. SABATH. No; I cannot. The probabilities are that members of the Im-

migration Committee, which committee held hearings on this bill, will be able to give the gentleman that information. I am informed that it runs into many, many thousands.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. DICKSTEIN. I may say that, on the present basis, there are 4,000,000 Americans in defense work today who are being discharged because they cannot establish that they were born in this country, while all evidence indicates that they were. There are many more that we do not know about, but we will explain that when we get to it.

Mr. BLAND. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Virginia.

Mr. BLAND. This is applicable in many sections of the Southern States in connection with my own people where, because of the absence of vital statistics and records, they have great difficulty in proving the date of their birth. I think probably I might have trouble myself.

Mr. SABATH. The gentleman is correct. I did not want to call attention to the situation in the South because I might be misunderstood.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. What reliance do the officials place upon census records in establishing citizenship?

Mr. SABATH. I do not think they pay any attention to them at all. They make a thorough investigation in each and every case of an application for naturalization, as far as I know.

Mr. CRAWFORD. I thank the gentleman.

Mr. SABATH. Mr. Speaker, I now yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, this bill is in its nature a war measure. Many American-born people are trying to get into the war industries and work for uninterrupted production, but they find when they apply for jobs that they are asked to prove their citizenship. They are asked to produce birth certificates. There are probably a number—perhaps a large number—of Members of the House of Representatives who might have difficulty finding their own birth certificates.

The purpose of this bill is very simple. It is to permit American-born citizens who want to get jobs in defense industries to have certificates of citizenship issued to them when they are unable to provide their own birth certificates or other records, as long as they can satisfy the Commissioner of Immigration.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from California.

Mr. HINSHAW. Does the gentleman have in mind—or does the Committee on Immigration and Naturalization have in mind—that these certificates will be so drawn that they may also be used for the

purposes of the Social Security Act in establishing age and place of birth?

Mr. FISH. I would rather have the members of the committee answer that. Mr. DICKSTEIN. If the gentleman will yield to me, I can answer it.

Mr. FISH. I yield to the gentleman from New York.

Mr. DICKSTEIN. Yes; I think it will provide for that.

Mr. HINSHAW. We have many people now sending in asking for information on their age and place of birth.

Mr. DICKSTEIN. This will take care of that.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. WILLIAM T. PHEIFFER. May I add that it will not be a condition precedent for the issuance of the certificate that the age be proved, the primary purpose being to prove the citizenship. Then, if they can also prove the age, well and good. But we do not want to hamstring the act by making it absolutely necessary to prove the age along with citizenship. If the age can be proved then it will be included in the certificate.

Mr. HINSHAW. That is a splendid idea, if there is provided in the certificate a place where the date of birth may be inserted at a later time under proper proof.

Mr. DICKSTEIN. There is a provision in this bill about the age.

Mr. WILLIAM T. PHEIFFER. The committee considered that very carefully, and it is being taken care of.

Mr. FISH. Mr. Speaker, this bill comes here with a unanimous report from the Committee on Immigration and Naturalization. Apparently there is very little opposition to it. It has been thoroughly considered. Of course, when we go into the Committee of the Whole the bill will be considered more in detail. It is needed as an emergency measure to expedite production of war materials.

I now yield 2 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, I think this bill, like nearly every other immigration bill, is complicated. I do not think it is entirely appropriate for us who do not understand the details of it to take up much time at this time, and we probably should yield to the author of the bill to explain it. In the time I have I want to ask one question. I understand it is the purpose of the bill that it should not apply to anyone but native-born citizens. May I ask the gentleman from Illinois [Mr. MASON], the author of the bill, if that is right?

Mr. MASON. I am not the author of the bill, but that is right. The bill applies only to native-born citizens.

Mr. JENKINS of Ohio. I take it that the gentleman means that the language in line 6 on page 1 is the language that would establish that fact. It states:

A person who claims to be a citizen of the United States.

Does not the gentleman think it would strengthen it if he changed the language so that it would read:

A person who claims to be a native-born citizen of the United States.

I do not want to encumber or delay the bill at all, but I should like to be absolutely sure that there is no ambiguity of language and that the bill contains language that will confine this bill to native-born citizens.

Mr. MASON. I would not have any objection to that, but he must prove that he is a native-born citizen before he is issued one of these certificates.

Mr. CLASON. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Massachusetts.

Mr. CLASON. I do not think that limitation ought to be placed in the bill, because frequently persons are born outside the United States who are still citizens of the United States, and they may have some difficulty in proving their citizenship. There is one family in Montana in which six children were born over the line, but the parents retained their American citizenship. Therefore, if you insert the words "native-born," this bill will not apply to persons in that situation.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 2 additional minutes to the gentleman from Ohio.

Mr. JENKINS of Ohio. I call to the attention of the gentleman from Illinois [Mr. MASON] that the observations made by the distinguished gentleman from Massachusetts raise the very question that I raised. He thinks that the law should not contain that provision as an amendment as I suggest and apparently he thinks it does not contain language that would restrict the application of the law as the gentleman from Illinois thinks it would. Personally, I think that the law should apply only to native-born citizens, to whom you intend the law should apply; consequently, it might be wise for you to offer an amendment to that effect. It is evident that the gentleman from Illinois does not have the same notion about it as does the gentleman from Massachusetts.

Mr. MASON. Evidently there is a difference between the gentleman's understanding of native-born citizen and my understanding of native-born citizen. The gentleman's understanding is that he must be born on American soil, but my understanding is that he can be born on Canadian soil provided the parents are citizens. Automatically, then, by virtue of his birth, he is a native-born citizen of the United States.

Mr. JENKINS of Ohio. In answer to that I may say that I maintain now, and have always maintained, that in the case of parents visiting in a foreign country or temporarily out of this country, when a child is born, naturally, that child is a native-born American citizen, but, of course, is not on exactly the same standing as one who was physically born in this country. He can elect to be considered as a citizen of the country in which he was born if his parents keep him in that country until he reaches the age of election.

Mr. MASON. Under the law he has the same standing as one actually born

on this soil, because he was born to American citizens who maintain their citizenship here, but who happened to be abroad at the time of his birth.

Mr. JENKINS of Ohio. I think the gentleman from Illinois and I would have no trouble in working out an understanding about that, but the observation of the gentleman from Massachusetts [Mr. CLASON] would indicate clearly to me that he expects this bill to be interpreted to apply to people who are not within the purview of the qualifications that the gentleman and I place on a native-born citizen. If you intend that the law should apply exclusively to persons born in the United States or children of native-born citizens, then you should say so.

Mr. ALLEN of Louisiana rose.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. JENKINS of Ohio. I yield to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. I may say that I think it is fair to assume, and I think it is true, that the Immigration Committee in reporting out this bill, intended to take care of American citizens who were born here and who are having difficulty in proving their citizenship status. That is the intention I had in going along with the bill, and I think the suggestion the gentleman makes about writing the words "natural-born citizen" there is a good suggestion, and I think something like that ought to go into the bill.

Mr. JENKINS of Ohio. The gentleman from Illinois [Mr. MASON], and the gentleman from Kansas [Mr. REE] are probably the most distinguished authorities on immigration on our side of the House. I have raised the proposition here that I understand that it was the intention that this bill should apply only to native-born citizens or children of native-born citizens, and the gentleman from Massachusetts [Mr. CLASON] put his finger on exactly what I am afraid of. He thinks it goes further and applies to others. I think you should insert language in this bill that will leave no doubt about what you mean, because there are enough other opportunities to raise problems with respect to this bill. When you are compelled to take the matters up to the Attorney General and the Commissioner you have enough trouble there even though you have made the language as concise and as clear as possible. This section that refers to "derivative citizenship" indicates clearly to me that many people will be included in this bill besides those born in the United States and children of those born in the United States. I am afraid that this is another bill that will go much further than its authors and supporters think it will go. When you include "derivative citizens" you open a door that you do not know who or how many will pass through. I am in favor of relief for those who are American citizens and who cannot prove their citizenship. But to open the door of citizenship to many who are not citizens is an entirely different thing.

Mr. SABATH. Mr. Speaker, I yield myself 1 minute. May I explain to the

gentleman from Ohio [Mr. JENKINS] that the very point he raises is protected in the bill because the bill provides that it cannot apply to other than American-born citizens and does not apply to naturalized citizens.

Mr. JENKINS of Ohio. Does the gentleman want me to make any observations on that?

Mr. SABATH. Not necessarily, because it is as clear as can be.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Speaker, it is very clear here that a native-born citizen who has no birth certificate available on the books of his State can get it. I wonder if a party I read about who went to the authorities to get a birth certificate and found his birth recorded all right, but found himself recorded as "female" could get the matter adjusted? There seems to have been no redress; no way for any of the authorities to change it. I recommend that to your consideration. Perhaps an amendment might be offered to give someone such authority, if it is not already granted here. Perhaps it is assumed here that if he is native-born they can change his sex for him.

However, I rose to make a few remarks because I want to call to the attention of those people who are so anxious to get their birth certificates in order that they may get jobs in national defense work—that is what the report says—and I want to advise them that this is a splendid thing to do with 40 hours a week, time and a half for overtime, and double time on Sundays. I have watched that proceeding in a camp near my own home and everybody was very happy over the money they made and practically everybody wanted to work on Sundays. The President has spoken and he says we do not need any change in the 40-hour law. All those under him from General Fleming down, must now say, "We think the same thing, too." Why should they not? They must. So I ask you to read General Fleming's article that appears in the RECORD this morning, under the heading "The great 40-hour-week lie." Please consider that type of argument to be fed to soldiers and their parents. I want the man that is now going to be properly naturalized and who is to get in on this work, to consider this letter which I will now read into the RECORD:

My only son was born while I was in France during the first World War. Today he is a member of the United States Marine Corps. He sailed from California the 1st of January, and we have heard nothing from him since. We know he is somewhere in the Pacific. We are anxious about him. Thousands of other parents are like us.

The President says we do not have enough ships to send supplies to our troops and that we must build ships in a hurry. Even as he spoke several hundred shipbuilders refused to work on Washington's Birthday, because they were not paid double time.

How can fathers and mothers of boys who are in the danger zone and who are being called upon to sacrifice their lives feel any surge of unity when the President and the Congress permit a bunch of shipbuilders and munition workers to quit when they get good and ready?

Do our boys at the front get overtime and double time in the fox holes of the Philip-

pinas? Do our sons who are giving their lives to protect the jobs of these and others like them quit on holidays? Like hell they do!

One of my friends, who is a good mechanic, with a family to support, went to get a job in a munitions plant. Every day we hear on the radio and read in the newspapers that such men are needed to turn out munitions for our soldiers, sailors, and marines. But this man was refused a job until he could get a union card. He could not get a union card, because he did not have enough money to buy one.

Is it the idea of our Government that it is more important to preserve labor unions than it is to preserve the American Union? Why can't a free-born American citizen get a job in a plant where the Government needs workers without having to pay tribute to a high-powered labor leader?

If our sons are to be drafted to give their lives for their country, why should not labor and capital be drafted to supply them with munitions of war? Why should Congress, which has the power to make laws, be so tender of the regard for laborers and management who work and prosper in safety while having an utter disregard for the lives of the boys at the front?

We don't like it, and we don't mind saying so right out loud. Maybe it is time we were electing some Senators and Congressmen who will crack down and compel capital and labor to get into this war. And, come to think of it, this is election year, and we might as well get busy while we have the time and opportunity.

The signature of the writer was appended. The letter has already appeared in certain newspapers.

Mr. FISH. Mr. Speaker, I yield the gentleman 1 minute more.

Mr. GIFFORD. Mr. Speaker, I listened this morning at the hearing before the Committee on Naval Affairs, and I found that a serious situation has developed. The President—and all those appointed under him must necessarily follow suit, especially Mr. Fleming—feels that there is no need for change in the 40-hour-week law. I felt it necessary to give the testimony of someone who feels differently and who represents the people generally. That sort of testimony to me far outweighs the judgment of one man and those who must say, "Me, too."

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has again expired.

Mr. FISH. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

LABOR LEGISLATION AND UNITY—THE PEOPLE ARE LOYAL AND UNITED

Mr. HOFFMAN. Mr. Speaker, of such tremendous importance is the present question as to the necessity of labor legislation that both the President of the United States and the Speaker of this House have seen fit to give statements to the press bearing upon that issue.

The President announced his opposition to the move to abolish the 40-hour week, stating that he could see no need for restrictive labor legislation. He further told us through the press that he viewed the labor situation in the defense factories as extremely satisfactory.

From a last evening's paper I get this account of the Speaker's press conference. I quote:

Choosing his words carefully, RAYBURN said at a press conference that current "indigna-

tion" meetings throughout the country are providing valuable ammunition for the Axis.

From a morning paper I get these words:

Speaker RAYBURN told a press conference that war-work stoppages because of strikes "have been reduced about to zero." Referring to letters pouring into Capitol accusing Congress of "playing politics" and attacking labor and business, the Speaker said that "if our people are thinking this way and are thus divided, Hitler and Mussolini and the Emperor of Japan would have paid a lot of money for what they are getting free."

Thousands of communications are reaching Congressmen, protesting vigorously against the labor policy of this administration. The Speaker is reported as having said that Congress was being swamped by letters and telegrams from every section of the country.

The President attributes this action on the part of the people to "an amazing state of public misinformation," and he cites communications which indicate that some people believe that the law now prohibits work during more than 40 hours a week.

There may be a few such people in this country, but the great mass of our people are thoroughly familiar with the provisions of the wage-hour law.

The Speaker likewise seems to think that many of these letters are due to misinformation for, in an evening paper of last night, he is quoted as follows:

Blasting at widespread demands that Congress ban strikes in war industries, the Texan said production stoppages have been reduced to about zero, "regardless of what is said by some writers and speakers." On March 17, he said, there were fewer than 100 of some 7,000,000 war workers on strike.

Apparently, the Speaker is either not familiar with current publications, or at least one heretofore reliable source of information has made a mistake. From the United States News, dated March 20—tomorrow—I quote the following:

STRIKES

Twenty-five strikes, slow-downs, and other disputes which held up industrial production were reported in Washington last week. More than 6,681 employees were involved. The total number of strikes for the week represents an increase of 9 over the total reported for the previous week.

Part of this increase is accounted for by a growing number of disputes between American Federation of Labor and Congress of Industrial Organizations local unions. The remainder appear to be local outbursts, most of them beginning and ending within the week. Only 7 of this week's 26 stoppages began in the preceding week.

The totals:

Fourteen American Federation of Labor strikes involving more than 1,205 employees. Ten Congress of Industrial Organizations strikes involving more than 5,450 employees. One strike of 26 employees in which no union was involved.

In the list below, the figures are the approximate number of employees involved in each dispute.

INVOLVING AMERICAN FEDERATION OF LABOR UNIONS

Building-service employees: Court-Remsen Building, Brooklyn, N. Y., 27.

Building trades: Defense housing project, Wentzville, Mo.; J. L. Williams & Sons, Sheridan, Ark. 275; Kurz-Roo Co., Appleton, Wis.; National Casket Co., Long Island City, N. Y., 170.

Electrical workers: Fisher-Memphis Aircraft Division, Memphis, Tenn.

Garment workers: Cosmopolitan Manufacturing Co., Cambridge, Mass., 200; Leon Bros., Los Angeles, Calif.; W. M. Finck & Co., Detroit, Mich., 185.

Jewelry workers: American Metals Spinning & Stamping Co., New York, N. Y.

Metal trades: Allen Corporation, Detroit, Mich.; Beckwith Machinery Co., Pittsburgh, Pa., 40; Fisher Tank Arsenal, Grand Blanche, Mich., 8.

Miscellaneous: Armstrong Cork Co., Braintree, Mass., 300.

INVOLVING CONGRESS OF INDUSTRIAL ORGANIZATIONS UNIONS

Auto workers: Bower Roller Bearing Co., Detroit, Mich., 500; Firestone Rubber & Metal Products Co., Wyandotte, Mich.*; National Stamping Co., Detroit, Mich., 730; Thorrez-Mars Manufacturing Co., Jackson, Mich., 600.

Construction workers: Alisteel Equipment Co., South Bend, Ind.; Celotex Corporation, New Orleans, La., 2,300.

Mine workers: Bethlehem Steel Corporation (industrial collieries), Washington, Pa., 700.

Municipal workers: Detroit Street, Railways, Detroit, Mich., 400.

Steel workers: Atlas Press, Kalamazoo, Mich.; P. Wall Manufacturing Co., Pittsburgh, Pa., 220.

INVOLVING NO UNION

Ansin Shoe Co., Athol, Mass., 26.

But the issue does not depend upon the question of whether, at the present time, there are or are not strikes in defense industries. It goes far deeper than that. It goes down to the bedrock, the fundamental foundation issue of whether or not in this country a man shall be permitted to do a day's work without first being compelled to join a labor union, pay an initiation fee and subsequent dues as imposed by that union.

It includes also the issue as to whether one class, organized labor, shall be granted special privileges, permitted to make a profit out of the war, while all others are required to serve and sacrifice.

With all due respect, I state that the Speaker misses the significance of these meetings of protest when he said, according to the press:

If Americans are as divided as the recent deluge of mail on Congress would indicate, "Hitler and Hirohito would have paid a lot of money for what they're getting free."

And again when, according to another report, he said that—

If our people are thinking this way and are thus divided, Hitler and Mussolini and the Emperor of Japan would have paid a lot of money for what they are getting free.

The foregoing are taken from the press reports of the press conference. I have quoted the press because it is the press, rather than the CONGRESSIONAL RECORD, that the people read.

To avoid any possible misunderstanding which might be created by newspaper reports or radio comments, I will now quote the remarks of the Speaker as given to the press and inserted in the RECORD of yesterday by the majority leader, the gentleman from Massachusetts [Mr. McCORMACK], pages A1078-A1079. They read in part as follows:

Not from one section of the country but from every section of the country are com-

ing letters and telegrams; many of them are very insulting. They come not from Democrats nor Republicans but from every class and section.

They read: "Congress is playing politics." "Politics control the Army and the Navy." "Our war production has bogged down, and neither government nor manufacturers nor labor is doing its job."

If this is the case and our people are thinking this way and are thus divided, Hitler, Mussolini, and the Emperor of Japan would have paid a lot of money for what they are getting free.

Meetings have been called in various sections of the country, and others are proposed for next Sunday and some days after, which usually turn into indignation meetings. I hope in the future resolutions are not passed that will make headlines in Berlin and Tokyo. Instead of these meetings breeding division and discord and discontent and disunity, it would be much better for the safety of the country and our war effort if they were turned into unity parades and the effort and the wrath that is expended there be applied to doing some of the work of trying to win this war.

Congress is being criticized, but Congress has given the President every law and every dollar he has asked for defense purposes.

It is my understanding that the Speaker now feels that the interpretations given to his statement by most newspaper writers and many of the commentators on the radio mixed that statement with the 40-hour week and the time and a half for overtime.

For that reason let me again quote this statement from the RECORD: After referring to the fact that the letters came from every section of the country and from every class and that Congress was charged with playing politics and that our war production had bogged down and that neither Government, manufacturers, nor labor is doing its job, the Speaker said, and I quote:

If this is the case and our people are thinking this way and are thus divided, Hitler, Mussolini, and the Emperor of Japan would have paid a lot of money for what they are getting free.

Now, this conclusion is the old, old cry that is raised every time the policies of those who are in power are criticized. Every time a citizen—no matter how sincere, no matter how loyal he may be—raises a word of protest against anything—waste, extravagance, boondoggling, or downright corruption—by those in power he is charged with giving aid to Hitler, Hirohito, or Mussolini. That thought has always been used, whether Democrats or Republicans were in power.

But because it is used is no reason why freemen, independent citizens of courage, should fail to object to policies which are ruinous to their country and, in this instance, to the prosecution of the war.

In my humble opinion—and I express it in all humility and with deference—I think the Speaker draws the wrong conclusion as to the cause of these meetings and protests. It is not my judgment that the forces of disunity are at work back home or that these meetings or the protests or resolutions which they forward to us are the result of the forces of disunity.

It is my judgment—and my faith in our people confirms that judgment—that these meetings are held, these protests

are formed, these resolutions are passed and forwarded, because our people are united and because they want us here in Washington to understand once for all that they intend not only to demand but to insist that we strip this Government, as a fighter is stripped, of everything which interferes with the success of its effort.

It is loyalty, a desire for unity and accomplishment, that is behind these protests.

Our people are not divided. Our people are united in their war effort. They are united in the support of the war policy of the Commander in Chief. They are united behind the men who are going to the fighting fronts.

Some forget that this is a government of the people. They seem to assume that, since we are at war, it is the President's war, not the people's war. If there is any lack of unity it is because the leaders, the politicians, have failed to sense and to follow the will of the people. Without a united, self-sacrificing people even a Commander in Chief, however wise, skillful, and determined he may be, has no power—none at all. That is why the Commander in Chief should inform himself of what our people not only want but what they intend to have, which is a unity of effort, an equality of sacrifice, the end of nonessentials, an end to special privileges and to favoritism.

What has aroused our people, what has caused them to meet, as, under the Constitution, they have a right to meet, and to petition and to protest to their leaders, is the fact, the indisputable fact, that notwithstanding the war, notwithstanding the danger which threatens to destroy our Nation and everything we cherish, one group—the leaders of organized labor—have been and are being granted and still insist upon special privileges, to wit, pay and a half—double pay—under certain conditions laid down by them.

Just so long as men are required to serve in foreign lands, in posts of great danger, for \$21 or \$31 per month, the people will never concede the justice of paying to anyone a wage and a half if that one works in defense of his country more than 40 hours per week.

Just so long as men, irrespective of race, color, or religious belief, of occupation or profession, are compelled to serve in the armed forces, the people of our country will demand that no man, no organization, however strong he or it may be politically, shall be protected and aided in an effort to impose upon those willing workers the added restriction of joining, the added burden of paying anyone for the right to work in defense of our country.

We are told that the President at his conference stated:

What we do need more than additional legislation or anything else is more enthusiasm in the whole war effort.

Just tell me how the young man marching off to war, leaving his home, his family, his friends, his business, or his profession; realizing as he must that he may never return, that he is to receive but a pittance for his efforts, can work up enthusiasm when he knows that the man who remains at home with his

family, his friends, in a place of safety and of comfort, is to be paid per week—yes, sometimes per day, as much as—sometimes more than—the soldier receives for a month.

Is it possible for the men in the fighting forces to become enthusiastic when they know that here at home, others, equally capable of rendering service with the fighting forces, refuse to work more than 40 hours per week unless they receive a wage and a half?

As the soldier stands sentry duty in the hours of darkness, perhaps in continual danger of being killed, can he think enthusiastically of these men back home, with time off for pleasure and recreation and association with their friends, who demand, if they work more than a mere 40 hours per week, a wage and a half for every hour they put in furnishing the tools with which the soldier must fight?

The President, we are told, said "he would like to see a few more parades, a few more bands playing."

According to the press, the Speaker said:

Instead of these meetings breeding division, discord, discontent, and disunity, it would be much better for the safety of the country and our war effort if they were turned into unity parades and the effort and the wrath that is expended there be applied to doing some of the work of trying to win this war.

Neither playing bands nor parades make tools of war. Nor do these meetings breed division, discord, discontent, and disunity. Nor do they give aid and comfort to Hitler. True it is, these meetings, these protests, convey a message to Hitler, Mussolini, and Hirohito. That message—and it is one to which the President and all of his advisers should listen—is this: Our people are fed up with playing at war; with unnecessary organizations; with social activities which contribute nothing to the war effort. They are aroused because of the continuation of special privileges and undue advantages.

They want this Government, this administration, to strip itself of every single activity that is not essential to the winning of the war. They are tired of waste, of extravagance, and worse. They are sick of tinsel and of show. They want the parades and the band playing left until the boys return home victorious.

They want an end to so-called social gains, social experiments. They want their Members of Congress, those employed in the numerous bureaus and agencies of this Government, everyone connected with the administration, to get to work—not now and then but all the time—and to keep in mind the sole purpose—the furtherance of our war effort.

The message conveyed by these meetings to not only the rulers but to the people of Germany, Italy, and Japan, is that at last our people are aroused. They are through with politicians. They are through with playing at war. They are in earnest and they are demanding that those at the top give the same undivided service to the preservation of our country which they, the people, have always been willing to give.

Neither the President, the Speaker, nor any of us have any cause to worry about the people. The people may have much reason to worry about us.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I have no further requests for time.

Mr. SABATH. Mr. Speaker, I was hopeful that at least on this meritorious bill the question of organized labor and criticizing labor would be omitted, but unfortunately, of course, some gentleman must at all times come and criticize and find fault. Personally I know that neither the President nor the Speaker need any defense at my hands or the hands of anyone else.

Mr. HOFFMAN. Will the gentleman yield?

Mr. SABATH. No; not now.

Mr. HOFFMAN. I am not criticizing the Speaker. I am criticizing his views.

Mr. SABATH. Well, all right, then, his views.

Mr. HOFFMAN. That is right.

Mr. SABATH. And I am going to criticize yours.

Mr. HOFFMAN. Fine.

Mr. SABATH. Where I will be more justified in that than you have to criticize the Speaker, who very seldom gives out an interview or releases a statement unless he believes that conditions demand it.

It is unfortunate that speeches that are made here from time to time mislead the American people in certain sections, who believe that things are really so bad as some of these gentlemen will state them to be on the floor of the House. People do not realize that these attacks on the part of half a dozen men on this floor unfortunately are made to weaken the splendid confidence that is properly due the President and the administration and for political reasons, and at the same time creates prejudice against organized labor and labor in general. Personally I am of the opinion that never before in history, since organized labor came into being, have we had as few strikes as we have now.

What I want to say is this: I am strongly suspecting that all these statements, even the one that the gentleman quoted from the United States News, are instigated and encouraged by the industrial leaders of the United States who have obtained billions of dollars worth of contracts on bids based upon the law of the land, namely, the 40-hour week and overtime on Sundays. They have these contracts and they make millions, but by the eternal heavens they want to make more millions, and they want to take it out of labor. Unfortunately, this publication is not the paper that it was from its beginning. Today I am satisfied its editorials and policy are dictated and controlled by the avaricious industrial leaders.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. SABATH. No; I cannot yield. They think that if they could eliminate the law under which they obtained these contracts that they can still further increase their profits. I know many of those industrial leaders and the press

that expresses their views and the articles that appear in many of these newspapers that are owned or controlled by the industries of America, very seldom have a good word to say about labor. Oh, no. They fail to say that Mr. Green, Mr. Murray, and all the organized labor leaders have pledged themselves that they will insist, demand, and urge a full day's work, the elimination of strikes and, if necessary, the elimination of double pay on Sundays.

They do not say a word about that. I feel, Mr. Speaker, that we are indeed fortunate to find the labor of this Nation cooperating as it does wholeheartedly in the interest of our country and helping to win the war.

Some gentlemen point out that these \$21-a-month men who have been drafted are in danger of losing their lives; but they fail to say that the greatest majority of these men are sons of wage earners who are being attacked here on the floor day in and day out without justification, without reason. If real investigation and examination would or could be had, I venture to say that very few of the sons of these industrialists and critics of the President are among those who are doing the fighting in combat units of our armed forces, but they can be found behind desks in the offices here in Washington and in area headquarters.

Mr. SCHULTE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. SCHULTE. The gentleman from Illinois knows my district as well as I know it myself. He knows I represent about the largest industrial district in this country. I wonder if labor is to be blamed for this: Hundreds of men each and every morning walk up to the gates of Illinois-Carnegie Steel, Youngstown Sheet and Tube, and Inland Steel demanding work, demanding that they be given the opportunity to help in this war effort, but who are turned away notwithstanding the fact that these plants are working only 3 and 4 days a week. Is that labor's fault?

Mr. SABATH. And that applies to plants I am familiar with. I know the plants in Gary and the adjoining territory. It applies to a plant right in my own district, the McCormick-International Harvester Co.; and that is the reason I am taking the floor now. I received a letter from employees of that company which I put in the RECORD day before yesterday, in which the writer begged and pleaded for the right to go to work. Apparently for no good reason the McCormick-International Harvester Co. has laid men off. Why, I do not know; but it seems to me that in the interest of expediting production of war materials and even for the selfish financial interest of the company they would operate on full-time production. Perhaps it is an effort on their part to force the Government to pay higher prices for the things this company could manufacture to advantage, things that would help win the war.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. HOFFMAN. With that situation in mind, the gentleman from Illinois is one of the most influential Members of the House, is there not something we can do to end that? I assure the gentleman of support.

Mr. SABATH. I thank the gentleman sincerely for the compliment he has paid me. If I were the most influential Member here, I assure the gentleman that in the interest of our country my urging and pleading would be that all desist trying to create discord in America, because I feel that continuous nagging, attacking, and vilifying of labor—labor that has done everything that is humanly possible, that is showing its patriotism and loyalty—I fear they may start resenting these attacks on the floor of the House, in newspaper columns, and in the press generally.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. RUSSELL. I want to state to the gentleman from Illinois that, in the interest of America's future, if the industrial situation is so bad as the gentleman says it is, I pledge the gentleman my aid to correct these wrongs. Does not the gentleman believe it to be his duty, not only as an American citizen but as the duly elected Representative of a section of America, to take some step to correct the wrongs of the industrialists the gentleman described? I pledge the gentleman my aid and assistance.

Mr. SABATH. Again I thank the gentleman from Texas and assure him I shall do everything in my power to stop the industrialists from delaying the production of needed war material. Something should be done. In some instances I feel the Government would be justified in taking over these plants. We have voted that power to the President, but the President does not wish to assume it for fear he may again be assailed as he has been by the press that is controlled by the industrialists and the money powers of America.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. MARCANTONIO. I think it should be pointed out that during the last 3 days two ships were launched and both of them were completed ahead of schedule, one in fact 30 days ahead of schedule.

Mr. SABATH. There is no question but what we are progressing and advancing. We have fewer strikes now than ever before in the history of any country. Indeed, we ought to be grateful to labor. Some may say they are getting \$5 a week more than they did; but I ask: How much of it will be left when the trusts get through with them, when the trusts get through increasing the cost of living?

When the war is over these wage earners will not have a dollar left. It will be a repetition of what happened in the last war and what happened again when the crash came in 1929.

Mr. Speaker, in conclusion let me again urge the Members not to be swayed by the industrialists who, not for patriotic but for selfish reasons, are trying to de-

stroy organized labor. Mr. Speaker, I cannot help but believe that very few of the attacks against labor conditions come from the industries engaged in production of war material, but do come mostly from Republican eastern carpet-bagger manufacturers, who sold out their plants in New England and established themselves in the South. They did this because they desired to obtain unorganized labor, where they could work men and women, as well as children, long hours at very low wages, the same as many of them did in their sweatshops before the wages-and-hours law was enacted.

Mr. Speaker, I fear that they do not realize their country's danger—yes, their own danger—and have in mind only their selfishness; and their avariciousness blinds them the same as it blinded Fritz Thyssen and other industrialists in Germany who came to regret the aid they were giving to Hitler in their effort to destroy the German Republic.

For their own interest and the interest of this great country of ours they should desist in their continuous sniping, attacking, and creating discord and disunion, and become real Americans and show by their actions their devotion, loyalty, and patriotism. Not until then will they have the right to squawk and complain and find fault with those who really, honestly, and sincerely are trying to serve the Nation in this threatening hour.

[Here the gavel fell.]

The SPEAKER pro tempore. All time has expired. The question is on the resolution.

The resolution was agreed to.

Mr. DICKSTEIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6600, providing for the issuance of documentary evidence of United States citizenship.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6600, with Mr. MANASCO in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. DICKSTEIN. Mr. Chairman, I yield myself 5 minutes.

Mr. DICKSTEIN. Mr. Chairman, this bill, H. R. 6600, was carefully considered by the Committee on Immigration and Naturalization with a pretty full attendance because of the question involved. The witnesses who appeared before the committee had something substantial to say and gave us a real picture of what is happening today in the country with respect to the defense program. It was pointed out that thousands of American-born citizens are unable to obtain employment because under an act of Congress we have provided that only citizens may be employed in the defense program. Native-born American citizens who are now employed in defense work, in our tank, airplane factories, and so forth, are being discharged because when called upon by the employer to pro-

duce evidence of birth or naturalization they have no proof on account of the fact that there were no vital statistics kept in the town where they were born. In some sections of the country vital statistics on birth have been destroyed by fire and other causes. Other employees are too old and are unable to obtain living witnesses to establish that they were born in the United States. As a result, American-born citizens were discharged and are being discharged and American-born citizens who have applied for employment in vital defense industries are unable to obtain employment.

Mr. DONDERO. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Michigan.

Mr. DONDERO. Will the gentleman point out one more thing, and that is that in many of the States at the time of the birth of these men there was no legislative machinery requiring the keeping of records of birth?

Mr. DICKSTEIN. That is correct.

Mr. DONDERO. And these men are entirely helpless to provide this proof.

Mr. DICKSTEIN. The gentleman is correct.

The man who is a naturalized citizen can produce his naturalization certificate, he has no trouble, but the men who are native-born, and some of them served in the last war, have no certificates of birth. There is no question but what they were born in this country, but they cannot produce to the Department of Justice or the Immigration Service sufficient documentary proof so that these Departments may safely and justly issue a certificate showing he was born in the United States and that his age is so-and-so.

An amendment will be offered by a member of the committee, the gentleman from West Virginia [Mr. RAMSAY], to provide that the certificate will show not only that a person was born in this country but what his age may be at this time. This certificate will be presumptive evidence of birth so that at least American citizens who are having all this difficulty in obtaining employment will have the opportunity to help their country. If they cannot do it on the battlefield, at least let them do it in the industries of our Nation.

May I call the attention of the House to the fact that in the year 1942, 4,000,000 additional workers will be necessary in our defense program, but these 4,000,000 people will be unable to obtain employment on the present basis because they cannot furnish proof of their birth in the United States.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield myself 2 additional minutes.

Mr. Chairman, this law will be administered by Francis Biddle, our great Attorney General, who is very sympathetic with this whole movement; Maj. Lemuel B. Schofield, head of the Immigration and Naturalization Service; Mr. Edward J. Shaughnessy; and Mr. T. B. Shoemaker, all men who have studied this problem thoroughly. I say that this law should have been enacted long ago to prevent the hardships that some of our

American citizens are experiencing in being unable to obtain employment to support their families. It will at the same time give this Government men who will give everything they have in the defense of this Government.

Mr. THOM. Will the gentleman yield?
Mr. DICKSTEIN. I yield to the gentleman from Ohio.

Mr. THOM. In reading this bill, I do not find what the procedure will be in obtaining these certificates.

Mr. DICKSTEIN. Rules and regulations will be formulated by the Department of Justice and the Immigration Service, with the approval of the Attorney General. They will formulate a plan as to the issuance of these certificates. As a matter of fact, I think they have a plan already formulated and ready to put into effect.

[Here the gavel fell.]

Mr. MASON. Mr. Chairman, H. R. 6600, now under consideration, is a bill that was quite largely made necessary by a law that this Congress passed in June 1940, which stated that only American citizens could work in defense industries. When a naturalized citizen applies for a job in a defense industry he can show documentary evidence of the fact that he is a citizen by presenting his naturalization certificate; but when a native-born citizen, either one born on American soil or born of American parents temporarily residing abroad but who by virtue of his birth is automatically a citizen of the United States, if he is of middle age or older, he finds great difficulty in proving his citizenship because he cannot prove his birth. These vital statistics were not kept in many of the States until about 30 years ago, so if he is 40 or 45 years of age he may find it almost impossible to prove that he is a native-born citizen.

This bill would simply place the native-born citizen on a par with the naturalized citizen by making it possible for him to show documentary evidence to prove his citizenship. That is all the bill does. It is made necessary by virtue of the fact that some millions of our native-born citizens cannot show documentary evidence that they are native-born citizens. That is the whole sum and substance of the provision before us today.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. Will the gentleman tell us why provision was not made for native-born citizens to go to their courts rather than to apply to the Immigration and Naturalization Service in order to secure proof of citizenship?

Mr. MASON. The machinery that would be set up under this bill would provide that they would go to their own courts and the representative of the Commissioner of Immigration in their district, and provide the proof necessary. After that proof was checked, they would be issued a certificate.

Mr. VORYS of Ohio. I think the gentleman is incorrect in interpreting the bill, or else I misunderstand it. The citizen does not apply to the court, he applies to an official appointed by the

Immigration and Naturalization Service. Mind you, this is an American citizen simply seeking documentary confirmation of his citizenship.

Mr. MASON. Which under the present law he has no possibility of obtaining. This bill provides a method by which he can obtain that proof.

Mr. VORYS of Ohio. I fully agree with the purpose of this bill, to provide for documentary proof of citizenship, but I cannot see why you put American citizens in a class with aliens who are seeking citizenship papers.

Mr. MASON. I can answer that in this way. The courts would have to require the man, as they do, to bring all this evidence before them, and then they would have to sift it through and go to all that difficulty, when all that is necessary is for the agent of the Immigration and Naturalization Service to check through it and check the census for the last 10, 20, or 30 years. Then, if the records back there show that this man has been all that time a citizen, he is issued this simple statement, which will be accepted by defense industries as proof of his birth, and so forth.

[Here the gavel fell.]

Mr. MASON. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. PHEIFFER].

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, answering further the question of the distinguished gentleman from Ohio with regard to why the bill does not provide for the applicant to go into the court of his own district and obtain the certificate, may I point out that this is an emergency measure to meet a real, existing emergency. It is not a proceeding for naturalization by any means. It is simply to provide the *modus operandi* whereby all red tape will be cut in behalf of our native Americans who are being barred now from employment in defense industries because of being unable to procure and present birth certificates showing that they were native-born.

Mr. DICKSTEIN. If the gentleman will yield to me, I should like to clear something up. I believe the gentleman has not cleared up the question the gentleman from Ohio asked, and I should like to clear it up.

A native-born citizen has no records in any court whatever. If the birth of a native-born citizen was not recorded by the midwife or the doctor with the vital statistics bureau, he could not find it in any court. We are talking about American citizens born in this country who have no records whatever in the courts, so they cannot go to the courts. Under this bill, the burden is placed on the applicant to prove by evidence of some kind which is satisfactory to the Justice Department that he was born here, and the certificate will issue upon the submission of such proof. The naturalized citizen may go to the court because there is there a record of his naturalization.

Mr. DONDERO. If the gentleman will yield, I think I can help in the explanation.

Mr. WILLIAM T. PHEIFFER. In just a moment; I want to follow out the thought of the chairman of our committee and point out also that if it were

necessary to go to the court in the applicant's home district, he might have to go from New York out to San Francisco or vice versa to make that application. We all know that the calendars of many of our courts are congested. It might be all the way from 6 months to a year and a half before that certificate could be issued. The machinery that will be set up under this bill will be simplicity itself, and at the same time the utmost care will be taken to see that the law is not abused.

I now yield to the gentleman from Michigan.

Mr. DONDERO. I think the question raised by the gentleman from Ohio springs from the first three words in line 1 on page 2, "upon satisfactory proof." What he wants to know is where the citizen must present that satisfactory proof. Is it in his local court, or does he have to come to Washington to present his proof?

Mr. WILLIAM T. PHEIFFER. No; neither. It was developed in the hearings that the means would be worked out by the Department of Justice whereby in each locality an agent would be set up, at the post office, for example. When the applicant came in with his evidence, we would have a man there a referee, let us say, who is schooled in the law and who is qualified to determine what is and what is not evidence. This man could say immediately, "On the basis of this proof, I feel sure we will be able to issue you a certificate." On the other hand, if the proof submitted by the applicant was insufficient in the eyes of the official at the post office, or whatever other agency might be adopted under the regulations, then he would say, "You have to go out now and get an affidavit from the midwife or an affidavit from a neighbor who is cognizant of the facts surrounding your birth, and then everything will be all right."

We even discussed the possibility of drivers' licenses and voting registration records being acceptable as a means of proof. That is how informal the procedure will be. In other words, the underlying motive of this legislation is to meet a present condition that seems to be getting more serious all the time.

We had one witness before our committee who was from my home city of New York. He made this rather succinct statement:

I have run up against the proposition in my own State where the commissioner of health states they have had to let down the bars to obtain birth certificates or delayed birth certificates, involving any question of age whatever, and in 1 year, over one-third of a million New Yorkers applied for delayed birth certificates, and under the letting down of the bars 1,311 of them were able to meet the requirements.

Out of one-third of a million only 1,311 were able to establish their nativity and have a birth certificate issued.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield.

Mr. SMITH of Ohio. Does this mean any addition of personnel? Will the work involved be done through the present machinery as now set up?

Mr. WILLIAM T. PHEIFFER. So far as possible, that is true. Of course, we must to a large extent depend on the Bureau of Immigration and Naturalization to handle this new system under such rules and regulations as they consider proper and most expeditious.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. D'ALESSANDRO].

Mr. D'ALESSANDRO. Mr. Chairman, for some time native-born persons in Baltimore and other industrial cities in which a great amount of defense work is being done have been denied employment because they have no proof of their place of birth and are unable to secure a birth certificate.

I took this matter up with Dr. Huntington Williams, health commissioner of the Baltimore City Health Department, and he informed me that prior to April 1915 it was not a bit stylish to have one's birth recorded, and in many instances there is no such record, and to have it recorded now as a delayed registration procedure would be time consuming, difficult, and dangerous, because of lack of adequate contemporaneous documentary proof.

He also informed me that Baltimore's bureau of vital statistics and many others all over the country are staggering under repeated blows, and heavy ones in trying to meet this general misunderstanding, and agreed that there is a real need for Federal agencies to study this matter carefully, in the hope that some Federal agency might finally be selected to be authorized to furnish proper statements of citizenship for native-born Americans.

I believe that H. R. 6600 will be the answer to this question. I noticed from the copy of the hearings held before the Committee on Immigration and Naturalization, Maj. J. R. Smith, of the office of the Under Secretary of War, testified that there are some 43,000,000 people between the ages of 18 and 45 who have no certified evidence of their birth in this country. Many of these people, although born in the United States, have been denied employment in defense plants and other industries because they could not produce a birth certificate, and in many cases these men are World War veterans.

Aliens who become citizens by naturalization receive a certificate. They have no difficulty in proving their citizenship. Why should not native-born citizens be given the same privilege?

Under this bill applicants will be requested to fill out a simple form in accordance with the formula set up by the Department of Justice. The Attorney General has already expressed his approval of the purpose which this measure seeks to accomplish. The Army and Navy also fully subscribe to this purpose, and I urge the House to vote for its adoption.

Mr. Chairman, under leave to extend my remarks, I include an article written by Carroll Dulaney, of the Baltimore News-Post, and a letter from the director of public welfare of Baltimore, Md.

[From the Baltimore News-Post]

BALTIMORE DAY BY DAY

YOU ARE AN AMERICAN, BUT CAN YOU PROVE IT?

(By Carroll Dulaney)

Have you a birth certificate in your home? Well, if you haven't, and you want a job in a defense plant, or other big industry, you may be out of luck.

The bureau of vital statistics of the Baltimore Health Department is rushed with calls for birth certificates. The applicants wish to establish their nationality in order to get a job or to apply to the city for relief. They are Americans, but they have a tough time proving it.

It is said that an average of 250 certificates are sought daily over the counter in the Municipal Building and 150 more applications come by mail from out of town. The fee for a certificate is 50 cents, or \$1 if the applicant can furnish only meager information, and the task of searching the records is difficult.

At the State department of vital statistics, I am told, the number of applicants is almost as great.

The oldest record in the city's birth files is of January 1, 1875. Since that date just 1,450,000 births have been recorded here. They are listed in 2,100 volumes. Incidentally, the doctor who officiated at the first recorded birth in Baltimore 66 years ago was Dr. Theodore Cooke, 146 Hanover Street.

The record of deaths from that date—1875—is much less than that of births.

It must not be concluded, however, that if you were born in Baltimore since 1875 a record of your birth must be on file with the health department. For many years physicians were very careless about making returns.

Some years ago, a former Baltimorean, born here in 1879, was in Paris and wished to be married. He discovered that he could not be married without producing his birth certificate, and so I got a frantic cablegram from him asking me to get it right away.

I never did get it, although I sought it diligently for 2 months. He had to go to London to be married.

DEPARTMENT OF PUBLIC WELFARE,

Baltimore, Md., January 30, 1942.

HON. THOMAS D'ALESSANDRO,

House of Representatives,

Washington, D. C.

DEAR MR. D'ALESSANDRO: The way in which American citizenship must be proven in order to qualify for old-age assistance is to show:

- (a) Proof of birth in America; or
- (b) Naturalization papers.

Sincerely,

T. J. S. WAXTER,

Director, Department of Public Welfare.

Mr. DICKSTEIN. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. Celler].

Mr. CELLER. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, I simply want to use the 3 minutes of time to call attention to a situation, particularly in the large metropolitan centers where we have aliens who are branded as enemy aliens. That stigma or bar sinister is creating a great deal of resentment. There are many Italians and Germans in my particular district and in New York generally, for example, who have

been in the country for a great many years. They came here when they were young to eke out a livelihood. They worked hard and diligently. They did not have any time to take out citizenship papers and many of them were too ignorant to know anything about it. They have now reared families and given numerous of their sons and their sons' sons into the Army. They have purchased Defense bonds and stamps and have been altogether loyal. Now they have placed upon them a bar sinister as enemy aliens. England was confronted with the same situation and set up what were known as loyalty boards. They were composed of volunteer public citizens who heard the plea of these aliens, examinations were had, and the aliens were divided into three classes: Friendly, neutral, and enemy.

I am of the opinion that the same situation could obtain in this country and loyalty boards might well be set up throughout the United States to which aliens might repair and sustain the burden of proof, under rules and regulations laid down by the Department of Justice, as to whether or not they are loyal. Then a certificate could be issued to them which would remove this bar sinister, and by doing this we would balk the efforts of many fifth columnists in our midst and in their midst who use these aliens as fodder upon which to pick. They unite them and arouse them, and these fifth columnists do everything in their power to infuriate these aliens now branded as "enemy," although deep down in their heart of hearts they are loyal.

Take the Italian alien. He is one who is betwixt and between, as it were, an orphan in a storm. His own native land is overrun by the Nazis, his adopted land spurns him and says he is not loyal. I believe the time has now come when we ought to reflect upon this subject and bring some modicum of relief to those Italian and German aliens who are friendly and who are not by any stretch of the imagination disloyal or inimical to our interests.

[Here the gavel fell.]

Mr. REES of Kansas. Mr. Chairman, I yield myself 5 minutes. I shall make a very brief statement and then if any Member desires to ask questions about the bill, I shall endeavor to answer them. Two or three things ought to be cleared up. One of them is this: Let us make sure that this applies only to American citizens who acquired their citizenship by birth in the United States, and persons born to citizens of the United States while abroad, and persons who are citizens by reason of derivative citizenship. It does not include naturalized citizens.

We do have American citizens who may have been born outside of the United States, but of American citizens. That is, we have Americans who go outside the United States, who have not lost their citizenship, who have children that come to the United States in time so they can claim citizenship.

Then we have the class who claim citizenship called derivative citizenship. We have a number of those, who become

citizens by reason of the naturalization of the father or mother or both, before the child or children have passed the age specified by law.

This measure is brought for our consideration particularly because of a demand of many Americans who are delayed in securing jobs in defense because they are unable to prove their citizenship. They do not have the documentary evidence to prove they are citizens of the United States, although born here. Many persons who are not native-born, but are naturalized citizens, have little or no trouble because they have documents showing they are citizens.

The difficulty lies in the question of proving they are American citizens.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I am pleased to yield to the distinguished floor leader of the House.

Mr. McCORMACK. Is not one of the reasons for that the fact that the birth-certificate records are unavailable in a lot of cases?

Mr. REES of Kansas. The gentleman is correct. Most of the difficulty is in the ability of the individual to secure a birth certificate. It is comparatively recently such records were made.

Mr. McCORMACK. We all know from our own experience that birth records are not always correct, and that in many places they were inaccurately kept, and that is not a criticism, but the fact is there are many persons whose records are incorrect. For instance, my birth certificate in Boston shows that I was born 10 days later than I really was born, but that would not be affected by this bill. However, there are many cases where there were no records of births kept at all.

Mr. REES of Kansas. That is correct.

Mr. McCORMACK. Or where the records were burned or lost.

Mr. REES of Kansas. It is only in recent years that many States have kept such records. I am advised that in many of our States those in charge of issuing certificates of birth are very far behind in their work.

This legislation comes to us as an emergency matter to take care of an important problem. If it were not for the war condition that requires the employment of so many persons who must be citizens, this legislation might not be necessary. I am anxious that, if enacted into law, it will work out satisfactorily.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. Yes; I shall be glad to yield to the distinguished Member from Michigan.

Mr. DONDERO. The question was raised a moment ago to the effect that birth certificates are not available, always. Is it not true that under President Theodore Roosevelt the first law was passed in 1904 respecting the keeping of such statistics, and so whatever laws we have in this country in that respect were passed subsequent to that time? Therefore, the whole matter is of quite recent origin?

Mr. REES of Kansas. I am sure, in view of the gentleman's statement, it is correct.

Mr. VORYS of Ohio. There is reference here to a certificate of derivative citizenship. That refers to citizenship not founded on birth actual in continental United States. Is not that correct?

Mr. REES of Kansas. That is correct.

Mr. VORYS of Ohio. So that this bill will cover other cases than those that the gentleman from Ohio refers to.

Mr. REES of Kansas. It would cover cases of certain individuals who are not born within the United States of America, if that is what the gentleman means. It covers persons who are born of American citizens while abroad, and who come to the United States within the time prescribed by law. Also persons who may attain citizenship by reason of the naturalization of parents, or parent as the case may be, before they have reached the age provided by law.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection? There was no objection.

Mr. MASON. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? There was no objection.

Mr. CLASON. Mr. Chairman, on November 28, 1941, I introduced H. R. 6138, a bill providing for the issuance of a certificate of citizenship to any person claiming to be a citizen of the United States at birth in whose case no official record of birth is available.

For many months I have been genuinely and greatly troubled at the seeming discrimination of our Federal laws against native-born Americans who could not produce birth certificates or other satisfactory documentary evidence of their citizenship. At first, requests for relief came largely from the aged people whose efforts in early womanhood and manhood had helped to make our country the great Republic it now is. In many, many instances misfortune had overtaken them. Faced with adversity, too old to work under the relentless rules of modern industry based largely upon governmental programs, too old even to work for their own Government with the iron-clad age requirements of its civil service, they have been forced to seek aid under the provisions of the Social Security Act. The aid, which they as native-born American citizens sought for themselves, was quickly forthcoming to naturalized American citizens armed with their naturalization certificates, proving both their citizenship and their ages. But in an unbelievable number of cases the native American was denied this same measure of relief. Why? Because he could not secure a birth certificate to prove his age and his birth in the United States. All of us Congressmen have

tried to secure some evidence which would help such a deserving person, whether or not he has been a constituent. Often we have gained it in a measure through the Census Bureau with an early record about the applicant, showing somebody's assertion of his age to a census taker. But this method has been unsatisfactory and inefficient. There are long delays. Many are unable to secure sufficient records.

I have felt during the 5 years that I have been in Congress that our aged have not secured the full measure of fair treatment that should be accorded to them when in distress. Improvements—important improvements—in their position in our Nation's economic life have been secured. But with the black specter of the high cost of living always before them, bringing more and more suffering and misery to the many patriotic aged in our midst, I sincerely hope that this Congress will act wherever possible to relieve their situation. We have a long way to go yet before we secure for all Americans at all stages in their lives a fair distribution of the bounteous agricultural and industrial products with which our Nation is always blessed. I believe such a result will ultimately be obtained to the advantage of all. I hope more and better provisions may be made for the aged, even as this great World War rages. The least we can do is to make it possible for each of them to qualify for the benefits of the Social Security Act, to which he is, by present laws, entitled, but from which often excluded because he cannot prove he was born in the United States on any particular date. These many requests for help from our older citizens were a big factor in causing me to seek legislation which would permit them to secure Federal certificates of citizenship showing the dates and places of their births under H. R. 6138, through the Bureau of Immigration and Naturalization.

But a second and equally important reason for the immediate passage of this legislation arose with the outbreak of the war in Europe in September 1939. More and more our factories were converted to the making of war products. Under certain conditions Federal laws will not permit an alien to work on Army and Navy munitions. Perhaps the laws would not have caused too much trouble, if strictly followed, but owners of plants believed in the underlying reasons for such legislation and refused to employ anyone who could not prove himself to be an American citizen, either by producing a birth certificate or a naturalization certificate. American citizens already employed were told to produce birth certificates or be discharged. Possible sabotage, possible inadvertent violation of a Federal criminal law, possible subversive influences, and possible other troubles were to be guarded against. Employers, including the United States Government itself, wisely demanded proof of citizenship from their employees.

Untold trouble and hardship have resulted to thousands of truly patriotic American men and women who have lived

every minute of their lives in the United States of America. The more our industrial economy has become involved in making war products, the more acute and unbearable the situation has become. It is estimated by New York authorities that 60,000,000 American citizens cannot secure birth certificates for themselves. Usually when they seek the certificates they learn that there are no official records of their births. Frequently vital statistics were not recorded at all in their home towns at the time of their births. Sometimes a doctor, a parent, or some official failed to bring a birth to the attention of a city clerk. Sometimes records have been lost or destroyed.

The War Department has recognized the seriousness of this situation for more than a year. It attempted to secure co-operation from the officials of all States to provide for recording late the births of persons upon evidence. I believe 45 States have tried to help with the result that "delayed" birth certificates became available under varying provisions of State laws. In some States, such as New York, the provisions are quite strict. In a period of 12 months, more than 300,000 applied and only 1,115 secured certificates. In Connecticut a serious situation has developed. In Bridgeport, not far from New York City, anybody who could provide two affidavits from friends could secure a birth certificate for \$1.25. Apparently no investigation of the truth of the facts sworn to by the affiants was made. In New York City, 1 out of 300 applicants can get such a certificate, while in nearby Connecticut every applicant can get one either on true or false statements. During the past 2 weeks this Bridgeport situation has developed into a scandal, followed by arrests and casting serious suspicion on all Connecticut birth certificates in the heart of our munitions-producing area. Obviously the States have neither the money nor the employees to handle this matter of such grave national concern. It is equally obvious that we cannot protect our plants against saboteurs, spies, and subversive elements by any birth certificates which may be obtained easily. But very fortunately the Federal Government has a body of well-trained and extremely intelligent and efficient officials in the Bureau of Immigration and Naturalization, ready, willing, and anxious to handle this problem.

Attorney General Francis Biddle filed a report on my bill, H. R. 6138, on January 7, 1942, in which he states in part that—

This matter is of peculiar importance at this time because many employments are open only to citizens, and many native-born citizens of the United States are precluded from securing such employment unless they are able to present evidence of their citizenship.

He further stated that this condition should be rectified by the proposed legislation. The Attorney General offered certain amendments which would, in his opinion, improve the provisions of H. R. 6138. I agree with him in his views which have been set forth in the bill favorably reported by the committee, H. R. 6600, now under discussion.

One of the witnesses at the hearings before the committee was Attorney John

J. McManus, of New York City, a past commander of the Catholic War Veterans for the State of New York. He has been actively interested with me in the effort to secure recognition of the need for this legislation. Several Members of Congress have told me that they are unable to secure birth certificates for themselves, having sought them for important purposes other than those to which I have referred. The passage of this legislation will fill an important gap in our national records. More important, it will bring immediate benefits to millions of Americans while securing untold help to our national war effort. High Army officers and Government officials have assured me that this legislation is of extreme importance and should be in effect right now. I am glad to have brought it to your attention for action.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. RICH. In section 339 of the bill it says:

A person who claims to be a citizen of the United States, other than a person naturalized, may go to the commissioner, with the approval of the Attorney General, and secure proper papers for recording his naturalization.

Mr. CLASON. No. He is an American citizen. He is not naturalized.

Mr. RICH. I mean to prove that he is an American citizen.

Mr. CLASON. Yes. He asks for a certificate of citizenship.

Mr. RICH. That is when he does not have a birth certificate?

Mr. CLASON. Yes.

Mr. RICH. What machinery are you going to set up in order to take care of all these applications that you have?

Mr. CLASON. The advantage of it is that we have the machinery today in the Bureau of Immigration and Naturalization. They are established in the larger places. They are associated closely with the district courts of the United States. This bill really adds another section to the Nationality Act of 1940. It does not stand by itself. The person applies for a certificate.

Mr. RICH. That may be so in the larger cities, but how about in the country?

Mr. CLASON. They will get around everywhere.

Mr. RICH. Are they going to travel all over the country?

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. RICH. In order to get around over the country, are they going to set special days to be at certain points, or how will they work that?

Mr. CLASON. Just as they do it today. They are not at Springfield, my home city, at all times, but the immigration and naturalization officials come in to the post office. People have already received the printed forms. They have made their applications for certificates of citizenship. Somebody will go out and investigate them in their own community if there is any question at all as to whether or not they are citizens. Whether or not they will require a particular individual to come to any par-

ticular spot will be determined by the rules and regulations adopted.

Mr. RICH. The Government is going to send people out to interview everyone who makes an application?

Mr. CLASON. They do not send them out today. The applicants come in to see them.

Mr. RICH. I do not know that the Bureau of Immigration and Naturalization has anybody up in central Pennsylvania. If so, I do not know where they are. I have never been called before them. But how will people in that locality out in the country find out where they are going to be located and what is going to be necessary for them to make their application for identification?

Mr. CLASON. They must know where their county courthouse is. They can write in to the Commissioner of Immigration and Naturalization, address it to the county courthouse, where they keep the records in regard to naturalization at all times. There will not be any difficulty in getting these forms after it is once set up. The Government under this plan is going to see that they are supplied with their certificates without any great trouble to themselves. The only persons who will be looked into carefully are those where there is doubt.

Mr. RICH. What will they have to pay for a certificate?

Mr. CLASON. One dollar.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. REES of Kansas. As far as expense is concerned, there will be a charge of \$1 for this certificate. Furthermore, as the gentleman from Massachusetts has suggested, we already have a general set-up by which these representatives do go into these various districts.

This situation comes about as I suggested a few minutes ago, by reason of American citizens not being able to get jobs because they could not show their citizenship, yet alongside of them foreign-born individuals get jobs because they happen to have certificates in their possession. As I understand it, the department in charge of this expects to have its representatives go to the various cities where complaints are made, as suggested by the gentleman from Massachusetts, take care of a great many of them in groups. They will take care of hundreds or thousands in those particular sectors. It is not the plan to go all over the country and investigate every citizen, but mostly to take care of citizens in groups.

[Here the gavel fell.]

Mr. MASON. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. HARNES].

Mr. HARNES. Mr. Chairman, the measure now before the committee is, in my opinion, one of imperative importance to our war effort, and of tremendous value to millions of patriotic Americans. I hope it will be enacted into law.

On June 28, 1940, the Congress enacted Public Law No. 671, by the provisions of which none but bona fide citizens of the United States are permitted employment

in our key defense, or war, industries. Subsequently, all appropriation measures for defense or war purposes have carried substantially the same provisions set forth in Public, 671, of the Seventy-sixth Congress. Similarly, all Army and Navy contracts for strategic materials have included clauses similarly limiting the employment of persons in the contractors' factories.

In view of the obvious threat to our efforts through espionage, sabotage, and fifth-column activities, these precautions have generally been accepted as wise. By these restrictions, however, we have brought to light a glaring gap in Federal and State statutes relating to our native-born citizens, millions of whom are finding it a complicated, prolonged, and often quite expensive process to establish proof of time and place of birth.

By Federal law we have long since established careful and exact methods of providing certificates of citizenship for naturalized citizens and their children who acquire citizenship derivatively. Unfortunately, however, there is no provision by which a native-born American can secure a certificate of citizenship quickly and cheaply. The matter has been left entirely within State and local jurisdiction, but now we come to the amazing fact that vital-statistics records have been kept by States and communities generally only for a comparatively few years within the recent past.

As a result, millions of Americans who are now of middle age or over find it difficult, if not almost impossible, to provide acceptable proof of their citizenship. The naturalized alien and his children have the documentary evidence in their certificates of citizenship. Younger persons who had the good fortune to have their births recorded as a part of a State or local vital-statistics record may secure transcript certificates which are acceptable as legal proof of citizenship.

But this other vast group of Americans is required to assemble a mass of such evidence as it may be able to ferret out of private records, such as family Bibles, census transcripts, church and school records, marriage certificates, insurance policies, and old business papers.

This in itself is almost invariably a laborious, time-wasting, and costly task, but the trouble rarely ends with this compilation of evidence. Usually the applicant must submit this evidence in some court of jurisdiction for approval and recording before he can establish it as proof of citizenship which is acceptable for all purposes.

Hundreds of cases within my own congressional district in the State of Indiana have come to my attention in recent months, particularly where individuals are trying to comply with the present legal requirements for employment in war industries. In my experience in trying to help these people I know directly what tremendous wastes of productive talent and what personal hardships are being suffered.

In my State of Indiana we began keeping a State vital-statistics record in 1907. In other words, any person now over 35 who was born in a community where official records were not kept prior to that

date must take such private evidence as he is fortunate enough to be able to compile into the circuit court of jurisdiction.

No great fault can be found with our Indiana statutes on this matter, but the fact remains that the individual applicant must follow a quite involved process before he can establish proof of citizenship. He must advertise his application pending before the court. He must conform to the forms and practices of the court, which means that he ought to have the services of an attorney. The cost involved is actually a tremendous burden for a great percentage of these people, but that is by no means the principal difficulty. During the time required to assemble this mass of private evidence and to secure its acceptance in court, the individual may be losing weeks of employment which mean everything to him and his family. Likewise, an industry producing some vital war supply is losing the valuable services of a person who ought to be contributing effectively to our war effort.

In this emergency time is the very essence, and time simply will not stand still. Every day of an individual's productive energy we lose delays by that much the successful conclusion of this war. No formality, therefore, must be allowed to stand unnecessarily in the way of employment for any man and woman who can contribute anything of value.

Aside from the direct and immediate value in our war effort of the measure under consideration, its value to millions of native-born Americans will undoubtedly be immediately apparent to this committee. I believe that every member will agree that these loyal, patriotic, native Americans should be provided a means of identification and certification as simple, as inexpensive, and as exact as we have already provided for persons becoming citizens by naturalization or derivation.

The Attorney General has already expressed his approval of the purpose which this measure seeks to accomplish. The Army also so fully subscribes to this purpose that I understand it has undertaken on its own initiative to secure the enactment of similar legislation. I know, also, that the Navy is in accord.

I repeat the hope, therefore, that the bill will pass.

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mr. HARNES. I yield.

Mr. DICKSTEIN. And that certificate will be presumptive evidence not only in Indiana but throughout the United States and its possessions that the holder thereof whose name is inscribed thereon is a native-born citizen?

Mr. HARNES. That is right. Let me illustrate: Let us assume the case of a person born in Indiana but working in San Francisco. In order to get a certificate now he would have to go back to Indiana and submit proof to the judge of the court in the county where he made application for his citizenship certificate. The procedure proposed in the pending bill would do away with that. The person would make application in San Fran-

cisco to the Commissioner of Immigration and could send back to his family or friends in Indiana for the necessary evidence and submit it to the Commissioner, who, upon being satisfied with the proof, could issue the certificate of citizenship. This would result in the saving of a great deal of time, expense, and inconvenience.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. HARNES. I yield.

Mr. RICH. I understand it is proposed the fee for securing this statement, or the proper papers, is \$1. Does the gentleman believe that the \$1 fee will pay the expense of the Government in connection with furnishing the man this certificate of citizenship?

Mr. HARNES. I have no way of knowing how much it is going to cost the Government to issue this certificate. I assume the Department of Immigration has the organization now set up and that it will cost no more for additional employees but may cost a few dollars to secure the necessary forms and blanks.

Mr. RICH. Not only will there be expense because of forms and blanks but there will probably be an increase of employees. Does the gentleman believe it can be done for \$1?

Mr. HARNES. I do not know, and I do not care whether it can or not. I believe a citizen of this country is entitled to that much from his Government.

Mr. RICH. That is right; he is entitled to it, I agree; but who is going to pay the fiddler?

Mr. HARNES. Well, who is paying the fiddler now?

Mr. RICH. We have too much fiddle and not enough paying; that is the trouble.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, it is my best judgment that this bill, having been written by both the Justice Department and the Immigration Service, carefully scrutinized by the committee, should not be amended in any way because one amendment might to a great extent injure the purpose of this law.

I call attention to the discussion that was had at the opening of this debate by the gentleman from Ohio [Mr. JENKINS], in which he wanted to put the word "native" in here in place of the word now appearing. The committee would object to that and I think the Department would object to that for the reason that if we were to put the word "native" in there, we would be shifting the burden for the Government. We want to throw the burden on the person making the application. The burden should be upon him to establish that he was born in this State or the other State.

Mr. HINSHAW. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from California.

Mr. HINSHAW. I am very much interested in this bill, as the gentleman knows. We had a colloquy some months ago on the same subject. In connection with the necessary information that must be supplied the Department, has the gentleman any way of assuring the

House the Department will offer affidavit forms, and so forth, which will be satisfactory to the Department, so that the applicant need not go to some attorney to get these forms drawn up?

Mr. DICKSTEIN. In the first place, we all know that the legislation is absolutely necessary and the quicker we get it to the White House the better for many hundreds and millions of American people.

Mr. HINSHAW. I fully agree with the gentleman.

Mr. DICKSTEIN. I discussed this matter with the Department and it has already formulated certain rules and regulations for Americans who wish to establish proof of their citizenship. I have every reason to believe that everything will be done by the Department to help our American citizens without involving them in costly legal procedures.

Mr. HINSHAW. My only purpose in asking that question is to determine whether the gentleman would be willing as chairman of the Committee on Immigration and Naturalization to personally request the Department that it furnish these forms to the applicant?

Mr. DICKSTEIN. I will do everything I can, and I feel sure every member of my committee will, to expedite action on such cases.

Mr. Chairman, I have no further requests for time and I ask that the Clerk read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 339 of the Nationality Act of 1940 (54 Stat. 1160, U. S. C., title 8, sec. 739) be, and it is hereby, amended to read as follows:

"Sec. 339. (a) A person who claims to be a citizen of the United States, other than a person naturalized on his own petition, may apply for a certificate of citizenship under such rules and regulations as may be promulgated by the Commissioner with the approval of the Attorney General. Upon satisfactory proof that the applicant is a citizen, and upon taking and subscribing before a member of the Service within the United States to the oath of allegiance required by this act of a petitioner for naturalization, a certificate of citizenship shall be issued to the applicant, but only if the applicant is within the United States at the time that the certificate is issued.

"(b) Any application for a certificate of derivative citizenship heretofore filed, which may be pending at the time this act takes effect, shall be considered as having been filed under paragraph (a) of this section.

"(c) The provisions of section 327 (f) of this act with reference to the effect of certificates of naturalization or of citizenship shall apply to certificates of citizenship issued under this section, either as proof of the citizenship of the holder of such certificate or as proof of the holder's age, or both.

"(d) Any certificate of citizenship issued under the authority of this section may be canceled by the Commissioner on the ground that such document was illegally or fraudulently obtained, in accordance with the provisions of section 340 of this act.

"(e) The penal provisions of section 346 of this act shall apply to any proceeding or application instituted or filed, or certificate issued under the authority of this section."

Mr. DICKSTEIN. Mr. Chairman, I offer a committee amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. DICKSTEIN: Page 2, line 11, substitute a colon for a period after the word "section" and add "Provided, That no part of the fee paid by an applicant for filing such an application shall be subject to refund."

Mr. DICKSTEIN. Mr. Chairman, this amendment simply means that the Government will not make any refunds because heretofore a number of people, over 20,000, have applied for a certificate of derivative citizenship and have deposited with the Government \$5. Under this plan we are adjusting the certificate to Americans to \$1. There may be some claims against the Government. From the hearings we were convinced that we ought to protect the Government to this extent so that the additional \$4 that may be claimed by other persons shall not be claimed. The committee was unanimous on this, the Department is for it, and I ask for adoption of the amendment.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I ask unanimous consent that the Clerk report the amendment again with reference to how it started off. I would like to know whether that was a semicolon or a colon after the word "section."

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. WILLIAM T. PHEIFFER]?

There was no objection.

The Clerk read the Dickstein committee amendment.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, as a member of the committee, I believe the Chairman will agree with me, that that should be a semicolon instead of a colon. We are not introducing anything new here. We are simply pausing.

Mr. DICKSTEIN. Heretofore applicants for a certificate of the kind that is proposed under this bill have deposited \$5.

Mr. WILLIAM T. PHEIFFER. I understand that.

Mr. DICKSTEIN. We are changing that law to \$1. That is new law.

Mr. WILLIAM T. PHEIFFER. There is no question about the intent of it; I am for the amendment, but I am pointing out that as a matter of grammatical construction we will have to make that a semicolon instead of a colon.

Mr. DICKSTEIN. I am not going to split hairs with the gentleman. I think we ought to leave it as it is.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Illinois.

Mr. DEWEY. May I ask, if it is not too late—I regret I was not here when the matter was discussed—what the meaning is of "derivative citizenship" appearing in line 8.

Mr. MASON. I would be glad to inform the gentleman.

Under a previous law passed by this Congress, any child of a naturalized citizen whose parents were naturalized before that child became of age could apply for a certificate of derivative citizenship based upon the citizenship papers of his

parents. That is now the law. The only reason it is mentioned in this bill today is to protect those 20,000 applications that are now on file for derivative citizenship papers.

Mr. DEWEY. I thank the gentleman.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. RAMSAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RAMSAY: On page 2, at the end of line 17, insert "whenever the question of age of a citizen of the United States shall become necessary to be determined by any branch of the United States Government, the matter shall be referred to the United States Department of Justice for decision, and finding by that Department shall be binding on all branches of the United States Government."

Mr. RAMSAY. Mr. Chairman, I offer this amendment for two reasons. Practically this whole bill is centered around the question of age, not the question of American citizenship so much as the question of age. If you will look on page 59 of the hearings, you will see that each department of the Government has a different method of accepting proof of age; in fact, it was there admitted that some departments have different standards of proof for different applicants, whoever they might be. For instance, if the man is a workman going to work on a ship, where he would have an opportunity to blow it up, they do not require very much proof, just his own word as to his age; but if the application is for another position which they claim to be higher, then they have a different standard of proof of age.

Of course, the question of proof of age is a legal one. Unless a man has some legal training, he has no idea what kind of proof should be required to prove a man's age. Therefore, the Justice Department is the only Department capable of doing that.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. RAMSAY. I yield to the gentleman from Michigan.

Mr. DONDERO. Would this be conclusive in all courts of record in the various States, where the man wanted to prove his age to entitle him to old-age assistance benefits?

Mr. RAMSAY. I would think so, from a reading of the amendment.

Mr. DONDERO. If it were conclusive it would not be attacked. Suppose evidence were submitted to show that it was not correct?

Mr. RAMSAY. I do not understand that. No order or decree of any court is so binding that it cannot be attacked for fraud.

Mr. DONDERO. It would not be conclusive, then?

Mr. RAMSAY. No; surely not. If a man perjured himself, he could be indicted and convicted, and the order, whatever the order was, could be set aside. That is a rule of law.

The Department of Justice is in favor of this amendment and every other department I know of, except the depart-

ments who want to have charge of this question. For instance, the Census Bureau thought they were the proper parties to decide this question. I submit they are not the proper parties to decide it. As I have said, they stated that they have two or three different rules of evidence by which they are governed.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. RAMSAY. I yield to the gentleman from California.

Mr. HINSHAW. Under this amendment, what is to become of all the information that is now being assembled from the Census records, to be used for the purposes of the Social Security Board in determining age? Are they to be valid or not?

Mr. RAMSAY. Yes. Mr. Shaughnessy, appearing before the committee, said they often accepted the Census records as proof, but would not always accept them, because those records really do not show how old the man is. The Census records might show that you were 10 years of age, or something like that, but they really are not positive evidence or proof. They are just cumulative evidence to indicate how old a man might be.

Mr. HINSHAW. The gentleman knows perfectly well that there are a lot of older people in this country who may have moved some place else; their friends are dead, their relatives are dead, and their books may have been burned some place, so that they have no one upon whom to depend except the Census Bureau for such information. If the Census Bureau's records are not to be accepted as proof of age, I should like to know how these people can ever establish their age.

Mr. RAMSAY. That is exactly what I had in mind, that we should have one board that will lay down one rule which will govern the proof of everybody's age, and not have a dozen different rules for proving somebody's age.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. RAMSAY. I yield to the gentleman from New York.

Mr. WILLIAM T. PHEIFFER. I think it well to interpolate at this point that it is common knowledge that under the present system it generally takes about 6 months to get this information from the Census Bureau, unless you pay a special searcher's fee of \$3, in which event you can get the report within about a week's time.

Mr. RAMSAY. That is correct.

Mr. WILLIAM T. PHEIFFER. This will serve to speed it up by authorizing other means of proof.

Mr. RAMSAY. It will authorize other means of proof such as are admissible in any State under the laws of evidence.

Mr. Chairman, I ask that this amendment be adopted. I understand that the committee is unanimously in favor of the amendment.

Mr. DICKSTEIN. This is a committee amendment, Mr. Chairman, and we have no objection to it.

Mr. VORYS of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment exemplifies the vice of this whole bill, which

is directed to a laudable purpose, about which we all agree, but in carrying out this purpose it is an example of the type of legislation that I feel brings this body into disrepute and constantly threatens our whole form of government. This amendment provides that the decision—I have copied the words, and I think I have them correct—as to the age of an American citizen, made not by a court but by the Department of Justice, shall be binding on all branches of government, which would, of course, include the courts.

This involves one of the most sacred rights we have, that of citizenship. It is not only a right, it is a status; it is a fact, and it either exists or it does not exist. On this important matter the amendment provides that final decision shall not be made, let us say, in a contested case, by a court or even by the Supreme Court of the United States, but shall be made by the Department of Justice, and that decision shall then be binding on all other branches of the Government.

Mr. HARNES. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I cannot yield at the moment.

Here is the difficulty with this bill. These certificates, which imply, and I quote: "Satisfactory proof that the applicant is a citizen," are going to be sought and used for all sorts of purposes. I can see the great usefulness of them. I can see the importance of setting up something to take care of this immediate situation where bona fide citizens are being discriminated against, but in our anxiety to do that we are not thinking this thing through, and we are setting up once more a system where a bureaucratic decision is to determine exclusively, and apparently under this amendment, conclusively, even as against the courts, the most sacred and fundamental rights of our citizens.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. JENKINS of Ohio. Would it not be better if we had gone back and amended the law that provides against such person getting a job in national defense? In other words, we should amend the national defense law and put in a paragraph and say that he should qualify as a citizen.

Mr. VORYS of Ohio. Very much better. This is a good example of going at a thing backward.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. MICHENER. I have not paid very much attention to the amendment, but if it is as suggested by the gentleman from Ohio, this is another case where we are establishing an administrative court.

Mr. VORYS of Ohio. And this court is to be an administrative court without appeal, according to the language.

Mr. MICHENER. That is just what I am getting at. There has been a constant effort in the last few years to establish administrative courts in the departments from which there shall be no appeal to the courts of the land. Some of

us have opposed that strenuously and usually have succeeded when the people understand. It seems to me if this amendment is as suggested by the gentleman from Ohio, there should be placed in there the saving clause, provided, however, the right to appeal to the court, in the final analysis, is reserved.

Mr. VORYS of Ohio. I am going to ask unanimous consent, when I have concluded, that the amendment again be reported so that we can see exactly the sweeping character of the language contained in it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. MASON. I am afraid the gentleman has made too broad an interpretation of the language. If this amendment would preclude the courts from reviewing the decision of the Attorney General and his staff then, of course, it would be unconstitutional; but it does not aim to do that. I feel quite satisfied it does not do that, but it does make sure that the other departments of the Government, the Social Security Board, and all these other branches of the Government, will have to abide by the ruling of the Department of Justice on this matter of age.

Mr. VORYS of Ohio. It would be a fine thing if an amendment such as the gentleman describes was at the desk. But, unfortunately, that is not the kind of amendment that is there.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I rise in support of the amendment.

Mr. VORYS of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VORYS of Ohio. During my remarks I submitted a unanimous-consent request that the amendment be again reported after I had finished my time, and I understood there was no objection. Would that now be in order?

The CHAIRMAN. The Chair understood that such a unanimous-consent request would be made when the gentleman concluded his remarks. Does the gentleman submit the request now?

Mr. VORYS of Ohio. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. Without objection, the Clerk will again read the pending amendment.

There was no objection.

The Clerk read the pending amendment.

Mr. DICKSTEIN. Mr. Chairman—
Mr. VORYS of Ohio. Will the gentleman yield?

Mr. DICKSTEIN. Let me first make a brief statement. It seems to me we have lost the point of this entire amendment. As an illustration, let us say that Mr. Jones, of Washington, applied to the Government stating he was born in the State of Washington and that he is now of the age of 50. While the Government is running down the matter and checking his actual birth in the State of Washington, they are also checking at the same time to see how old he is. In issuing the

certificate to this American citizen, born in the State of Washington, they say that he was born on this or that date and that he is of the age of 50 years, for instance. This is all the amendment is intended to accomplish. It would be more or less binding as to age unless proved otherwise by other branches of our Government. This is all that the amendment proposes to do. It does not bar anybody from disproving that fact, and it does not prevent or stop anybody from showing that it is a fraud or that the person involved has committed perjury.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. DONDERO. Undoubtedly, this discussion has arisen over a question asked the gentleman from West Virginia [Mr. RAMSAY]. May I make this suggestion: Instead of the words "shall be binding," might it not help the legislation if we substituted the words "may be accepted"?

Mr. DICKSTEIN. That is a matter of splitting hairs as to the language. I want to follow the plan that I believe is for the best interests of the legislation and the country. But it seems to me, as I pointed out, that we are losing sight of the fact that, assuming this amendment is agreed to, we do not bar you, for instance, from proving that I was not telling the truth or that I was more than the age which I stated.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. HINSHAW. Would the gentleman have any objection, instead of using the words "all branches of the Government," to using the phrase "all executive agencies of the Government"?

Mr. DICKSTEIN. I would have no objection to that.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. McCORMACK. I think the suggestion made by the gentleman from California [Mr. HINSHAW] meets the situation. So far as the phrase "all branches of the Government" is concerned, there are only three branches of the Government—the executive, the legislative, and the judicial. I think if the amendment is changed to confine the matter to the executive branch, it will meet the situation and be a proper amendment.

Mr. MASON. That was the intent and the sole purpose. I do not believe any member of the committee would have any objection to limiting it to the executive departments of the Government.

Mr. DICKSTEIN. Will that satisfy the gentleman from Ohio?

Mr. VORYS of Ohio. Yes; I think that would meet the objection. The Supreme Court has held that decisions of administrative bodies are binding as to fact.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. WILLIAM T. PHEIFFER. Let us not become involved in paradoxes. If it is binding only on the executive department, then it would not be binding on

the department that is making the finding in every case.

Mr. DICKSTEIN. I pointed out that if a man obtains a certificate, if he was born in a certain place on a certain day, and shows that he is of a certain age, and the department through investigation and other proof establishes that fact, that at least should be sufficient for other departments to determine the question of age, because age is always important in the matter of a certificate of citizenship.

Mr. WILLIAM T. PHEIFFER. The finding in the first place is made by the Department of Justice?

Mr. DICKSTEIN. Certainly.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield to me to offer an amendment?

Mr. DICKSTEIN. Yes.

Mr. HINSHAW. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. HINSHAW to the committee amendment: strike out the words "all branches" and insert "the Executive agencies."

Mr. RAMSEY. That is satisfactory to us.

The CHAIRMAN. The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. DOWNS. Mr. Chairman, I move to strike out the last word. I take this time simply because Connecticut, and the city of Bridgeport in my district were mentioned by my distinguished friend from Massachusetts. I am heartily in accord with this legislation, because in my opinion it will eliminate a serious condition in the State of Connecticut. The Legislature of the State of Connecticut adopted a law which made it possible to secure a birth certificate in Connecticut upon the evidence of two witnesses. As a result, when the defense program began to boom, people came into Connecticut from all over the country in an effort to secure employment and soon discovered how easy it was to secure a birth certificate in the city of Bridgeport and other cities in the State. The passage of this law now under consideration will give us an entirely different setup, and will provide a standard system throughout the Nation. As a result we in Connecticut will not have these people coming into the State endeavoring to secure birth certificates through fraud. I think the bill is excellent, and clears up a situation in Connecticut and probably will keep the Governor of our State from calling a special session of the legislature to remedy the situation. I know that it will be welcomed by the mayor of Bridgeport where many of these certificates were issued, under the State law, through fraud.

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mr. DOWNS. Yes.

Mr. DICKSTEIN. I am very sorry that I did not give the gentleman time. I intended to. I think he has made a very fine contribution in the statement that he has just made.

Mr. DOWNS. I thank the chairman for his observation and yield back the remainder of my time.

Mr. ROLPH. Mr. Chairman, I move to strike out the last word. I do this to ask the chairman of the committee a few questions. In San Francisco, in 1906, we had a fire that destroyed all birth records, not only in the city hall, but in many churches. Since that time the people have had a good deal of trouble in securing birth certificates, and certificates of citizenship. The bill provides that after satisfactory proof is shown, the certificate of citizenship will be issued. I would like to have the chairman clear up just what would be required.

Mr. DICKSTEIN. Of course, the Committee on Immigration and Naturalization does not draft the rules and regulations for the purpose of enforcing the law. The Department of Justice, with the approval of the immigration services, prepares and is now preparing rules and regulations, which I think every reasonable honest man will be able to comply with by bringing certain proof, which may be proof of where he was born, or a certificate of baptism, or certain writing in religious books, such as the family Bible—evidence that will satisfy any reasonable man that the applicant is telling the truth. This bill as written will take care of the very situation that the gentleman is now asking about.

Mr. ROLPH. If the gentleman will permit me, in the case of my own family, for instance, the records were burned in the city hall and burned at the church. The records of all the family were burned at the same time.

Mr. DICKSTEIN. I say to the gentleman that under this act the Immigration Service of the Department of Justice can very easily determine the facts with reference to the gentleman's family by any evidence that they believe will be honest evidence and believable in any court of law. I am sure you will have no difficulty in obtaining proper certification by the Government that you were born on that date and that you are a native-born citizen.

Mr. ROLPH. I thank the gentleman. Mr. WILLIAM T. PHEIFFER. If the gentleman will yield I think perhaps I can offer some light on the question.

Mr. ROLPH. I gladly yield to the gentleman.

Mr. WILLIAM T. PHEIFFER. The following answer was made by Mr. Marvin Simms, principal attorney of the War Department, at page 15 of the hearings, when the question was asked as to the nature and extent of the evidence that would be required. Mr. Simms' answer was:

Yes; but that evidence could be very slight. It follows the best-evidence rule, and, therefore, permits the furnishing of a driver's license, a marriage license, voting registration record, birth certificates, and so forth.

Mr. ROLPH. In San Francisco in 1906 the birth certificates were all burned and

I understand from the gentleman's observation the court will use broad discretion?

Mr. WILLIAM T. PHEIFFER. The best-evidence rule would be the rule.

Mr. MASON. Will the gentleman yield?

Mr. ROLPH. I yield.

Mr. MASON. After all other sources of evidence of birth have been exhausted, then the department can go to the census figures and check back 10 years, 20 years, 30 years, or 40 years for John Jones' record in the census. If they tally each time, they could then accept that as evidence of John Jones' birth, and so forth. That is the last resort.

Mr. ROLPH. I thank the gentleman very much.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 2. Section 342 (b) (5) of the Nationality Act of 1940 (54 Stat. 1161, U. S. C., title 8, sec. 742) is amended to read as follows:

"(5) For application for a certificate of citizenship under section 339 (a), \$1."

Mr. DICKSTEIN. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. DICKSTEIN: Page 3, line 5, add the following: "The provisions of this section shall be applicable only to applications filed after the effective date of this act."

Mr. DICKSTEIN. Mr. Chairman, the amendment speaks for itself and I ask for its adoption.

The CHAIRMAN. The question is on agreeing to the Committee amendment.

The Committee amendment was agreed to.

The Clerk read as follows:

SEC. 3. This act shall take effect 30 days after the date of its approval.

The CHAIRMAN. Under the rule the Committee will now rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MANASCO, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 6600 and pursuant to House Resolution 443, he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to extend their remarks on this bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WAR-RISK INSURANCE FOR MERCHANT MARINE

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 457.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into a Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6554) to amend war-risk insurance provisions of the Merchant Marine Act, 1936, as amended, in order to expedite ocean transportation and assist the war effort. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I do not think there is any contest about this rule. I wonder if we cannot pass the rule and proceed with the consideration of the bill and save that much time.

Mr. FISH. I have a few requests that will take about 10 minutes.

Mr. SMITH of Virginia. Mr. Speaker, I yield the gentleman from New York [Mr. FISH] 10 minutes.

Mr. FISH. Mr. Speaker, this bill is another war measure that is aimed to help those who are desirous of getting war-risk insurance and marine reinsurance which they are unable to get from the marine insurance companies in sufficient amount. It will be handled by or through the United States Maritime Commission in order to expedite ocean transportation and assist the war effort. It is necessary legislation because of the fact that very often the marine insurance companies cannot handle the amounts desired. Furthermore, in the past large amounts of this type of marine insurance have been handled through Lloyds in London.

If the bill is passed—and there was no opposition to it in the committee, nor was there in the Committee on Rules—the United States Maritime Commission will be so organized as to handle war-risk insurance and excess marine insurance on all ships, not only our own but foreign ships as well that enter our ports. That is the main purpose of the bill. I hope therefore there will not be very extended debate on the rule. The companies that handle war-risk insurance and other kinds of marine insurance favor this bill as an accommodation and help to them in covering such risks.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Speaker, the bill under consideration (H. R. 6554), to amend and broaden the war-risk insurance provisions of the Merchant Marine Act of 1936, was carefully considered by

the Committee on the Merchant Marine and Fisheries. There was no opposition to the bill. It was unanimously reported. It is urgent wartime legislation, and I sincerely feel that it should be passed without hesitation.

Mr. Speaker, I yield back the balance of my time.

Mr. FISH. Mr. Speaker, I have no further requests for time.

Mr. SMITH of Virginia. Mr. Speaker, there are no further requests for time.

I move the previous question on the rule.

The previous question was ordered.

The resolution was agreed to.

MARINE WAR-RISK INSURANCE

Mr. BLAND. Mr. Speaker, I call up the bill (H. R. 6554) to amend war-risk insurance provisions of the Merchant Marine Act of 1936, as amended, in order to expedite ocean transportation and assist the war effort, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), is hereby amended to read as follows:

"SUBTITLE—INSURANCE

"Sec. 221. (a) Until 6 months after the termination of the present war is proclaimed or until such earlier date as the President may designate, the Commission is authorized to provide marine insurance and reinsurance against loss or damage by the risks of war and reinsurance against loss or damage by marine risks, as prescribed in this subtitle, whenever it appears to the Commission that (1) such insurance adequate for the needs of transportation in the water-borne commerce of the United States and its Territories and possessions (including the Philippine Islands, the Canal Zone, and any bases or lands leased or occupied by or on behalf of the United States), or of other transportation by water or other vessel services deemed by the Commission to be in the interest of the war effort or the domestic economy of the United States, cannot be obtained on reasonable terms and conditions from companies authorized to do an insurance business in a State of the United States, or (2) the furnishing by the Commission of such insurance or reinsurance with respect to any such transportation or other vessel services would be of material benefit to the war effort or the domestic economy of the United States, or (after consultation with the Secretary of the Navy or the Secretary of War) is necessary or advisable for military or naval reasons.

"(b) There shall be in the Treasury of the United States a revolving fund to be known as the marine and war-risk insurance fund (hereinafter referred to as the fund), to be used for carrying out the provisions of this subtitle, and to be constituted of such sums as may be appropriated to such fund and of moneys and receipts credited thereto as herein provided. There are hereby authorized to be appropriated to such fund such sums as may be necessary to carry out the provisions of this subtitle. All moneys received from premiums and from salvage or other recoveries, and all receipts in connection with this subtitle, shall be deposited to the credit of such fund. Payments of return premiums,

losses, settlements, judgments, and all liabilities incurred by the United States under this subtitle shall be made from such fund.

"Sec. 222. The Commission may insure against loss or damage by the risks of war, persons, property, or interests, as follows:

"(a) (1) American vessels (including vessels under construction), (2) vessels registered under the law of the Philippine Islands, (3) foreign-flag vessels owned by citizens of the United States (as said term 'citizens' is used in Public Law 173, 77th Cong., approved July 10, 1941) or owned or controlled by, or made available to, the United States or any department or agency thereof, and (4) any foreign-flag vessel not owned or controlled or made available as described in clause (3) hereof, but engaged in the water-borne foreign commerce of the United States or other transportation by water or other vessel services deemed by the Commission to be in the interest of the war effort or the domestic economy of the United States, while so engaged;

"(b) Cargoes shipped or to be shipped on any vessels specified in subsection (a);

"(c) The disbursements and freight and passage moneys of such vessels.

"(d) The personal effects of the masters, officers, and crews of such vessels.

"(e) Masters, officers, and crews of such vessels and other persons employed thereon against loss of life, personal injury, or detention by an enemy of the United States following capture.

"(f) Statutory or contractual obligations of the owner or charterer of such vessels of the nature customarily covered by insurance.

"Sec. 223. The Commission may reinsure, in whole or in part, any company authorized to do an insurance business in any State of the United States, on account of marine and marine war risks, including protection and indemnity risks, assumed by any such company, on persons, property, and interests specified in section 222 of this subtitle, and may reinsure with, or cede or retrocede to, any such company any war risk insured pursuant to such section 222, or any marine or war risk reinsured with the Commission as hereinbefore provided.

"Sec. 224. (a) Any department or agency of the United States is hereby authorized to procure insurance from the Commission as provided for in section 222 of this subtitle, except as provided in the Government Losses in Shipment Act, approved July 8, 1937, as amended (50 Stat. 479; U. S. C., Supp. VI, title 5, secs. 134 to 134h)

"(b) The Commission is authorized to provide such insurance at the request of the Secretary of War or the Secretary of the Navy on a nominal-premium basis in consideration of the agreement of the Department concerned to indemnify the Commission against all losses covered by such insurance, and the Secretary of War or the Secretary of the Navy is authorized to execute such indemnity agreement with the Commission.

"Sec. 225. In the event of disagreement as to a claim for losses or the amount thereof, on account of insurance under this subtitle, an action on the claim may be brought and maintained against the United States in the district court of the United States sitting in admiralty in the district in which the claimant or his agent may reside, or in case the claimant has no residence in the United States, in a district court in which the Attorney General of the United States shall agree to accept service. Said suits shall proceed and shall be heard and determined according to the provisions of an act entitled 'An act authorizing suits against the United States in admiralty, suits for salvage services, and providing for the release of merchant vessels belonging to the United States from arrest and attachment in foreign jurisdictions, and for other purposes,' approved March 9, 1920,

as amended (known as the Suits in Admiralty Act), insofar as such provisions are not inapplicable and are not contrary to or inconsistent with the provisions of this subtitle.

"Sec. 226. (a) The Commission in the administration of this subtitle is authorized to adjust and pay losses, compromise and settle claims whether in favor of or against the Government, and to pay the amount of any judgment rendered in respect of any suit or settlement agreed upon in respect of any claim. The determinations of the Commission with respect to adjustments, compromises, settlements, and payments hereunder shall not be subject to review by any other executive or accounting officer of the Government.

"(b) The Commission is authorized to prescribe such forms and policies, to change or modify such forms and policies as may be necessary or appropriate under the circumstances, and to fix and adjust, as may be required by circumstances, the rates and changes of rates of insurance provided for in this subtitle.

"(c) The Commission is authorized and directed to prescribe such rules and regulations as may be necessary or appropriate to carry out the provisions of this subtitle. The Commission is authorized, in administering the provisions of this subtitle, to exercise its powers, perform its duties and functions, and make its expenditures, in accordance with commercial practice in the marine insurance business.

"(d) The Commission, without regard to the laws, rules, or regulations relating to the employment of employees of the United States, may appoint and prescribe the duties of such number of experts in marine insurance as the Commission may deem necessary in carrying out the provisions of this subtitle. The Commission, with the consent of any executive department, independent establishment, or other agency of the Government, including any field service thereof, may avail itself of the use of information, services, facilities, officers, and employees thereof in carrying out the provisions of this subtitle.

"(e) The Commission shall include in the annual report to Congress a detailed statement of all activities and of all expenditures and receipts under this subtitle for the period covered by such report.

"(f) When used in this subtitle—

"(1) The term 'American vessels' includes any vessel registered, enrolled, or licensed under the laws of the United States and any undocumented vessel owned or chartered by or made available to the United States or any department or agency thereof.

"(2) The term 'transportation in the water-borne commerce of the United States' shall be deemed to include the operation of vessels in the fishing trade or industry.

"Sec. 227. Nothing in this subtitle shall be deemed to affect the rights of seamen under any provision of existing law."

THE SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendment: Page 2, strike out all of line 16 and insert in lieu thereof: "At nominal or other rate basis would be of material benefit to the war effort, or (after consultation with the Office of Price Administration or other agencies) to the domestic."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 4, line 5, after (a), insert "Including shipments by express or registered mail."

Line 7, after the word "disbursement", insert: "(Including advances to masters and general average disbursements)."

Line 11, after the word "vessels", insert "And of other persons transported on such vessels."

Line 14, after the word "employed", insert "Or transported."

Line 17, after the word "obligations", insert "Or other liabilities of such vessels or."

The committee amendments were agreed to.

MR. CULKIN. Mr. Speaker, I move to strike out the last word.

The Maritime Commission was created by Congress in 1936 and was brought out of the Merchant Marine Committee of the House after protracted hearings. The very distinguished chairman of the committee, the gentleman from Virginia [Mr. BLAND], presided over those deliberations, and his was the voice that guided the act through Congress. I know of no able or more industrious Member of the House than the gentleman from Virginia. The objective of that act was to place on the sea an adequate merchant marine which in times of peace would carry our sea-borne cargoes and in times of war would act as auxiliary to the Navy and for convoy purposes. Nothing will be served by referring to the unhappy actions of the old Shipping Board and the actually hostile attitude of much of the country toward our past governmental maritime record. Under this law, as passed, every possible safeguard was thrown about the Government disbursements for construction, operation, and manning of ships.

So far as was possible, provision was made to avoid the unhappy errors of the past. It was fortunate indeed that the Maritime Commission was created when it was. The Commission has made a rational, sound, and successful development of the merchant marine. The members of the Commission and its loyal personnel have conducted the developing of the merchant marine with integrity and dispatch. It is one governmental commission that has functioned adequately and with success. Much of this has been due to the fine leadership of Admiral Land, who, besides being an able navigator, has been, since the beginning of his naval career, an outstanding technician in the field of construction.

The country is greatly in debt to the other members of the Commission, particularly to Commissioner Vickery, who has charge of the construction of ships. The normal development of the merchant marine was under Commander Vickery's direction, and he produced ships that were outstanding in type, comparable to the best in the merchant marine of England, Germany, and Japan. His division of the merchant marine was then called upon to produce the victory ships which are so vital to the continuance of democracy in the world. Born of the demands of the lend-lease law, and under Commander Vickery's auspices, 700 ships will be produced in this year of our Lord 1942. It is expected that the number will be stepped up next year to 1,200. Commissioner Vickery has done a splendid job. Ships, of course, are vital to the conduct of war and to the service of the Navy. They must be produced in great numbers to offset the submarine sinkings, to carry food to our Allies, and act as transports for our troops to the southwest Pacific,

where they are now fighting under the leadership of the gallant MacArthur.

Those of us who had a hand in the writing of this act, including the able gentleman from California [Mr. WELCH], the ranking minority member of the committee, are justly proud of the manner in which this program has been carried out. We all feel that the Maritime Commission, in every respect, has kept faith with Congress and the country. We of the committee congratulate ourselves on the fact that the hundreds of millions of dollars that is being disbursed to put ships on the seas is being handled with integrity and efficiency. A grave burden is upon the Commission to carry out their functions which are so vital in winning the war. We of the committee can assure the House that their trust has not and will not be misplaced.

Corroborative of the foregoing are the findings of the Truman committee of the Senate, which is engaged in an investigation of war disbursements. The Truman committee, which is functioning admirably, said that the Maritime Commission was the most effective of all the branches of the Government engaged in the war effort.

This brings cheer to us of the committee who have had a hand in the creation and amendment of this very important Merchant Marine Act of 1936. It should bring cheer to the House and country.

The title of the pending bill (H. R. 6554) "A bill to amend the war-risk provision of the Merchant Marine Act of 1936, as amended, in order to expedite ocean transportation and assist in the war effort," is an exact description of the contents of this bill. The bill broadens the scope of insurable property and persons for which Government marine insurance and marine war-risk insurance may be furnished under existing law. We cannot escape from the obligation to pass this legislation. The committee believes that this legislation should be put on the books. We believe that no Federal disbursement will, in the long run, be necessary to carry it on. It will perhaps comfort the House to know that in the first World War the Government made a net profit of about \$17,000,000 on similar legislation. I respectfully urge the passage of this act as an actual necessity if we are to keep our ships on the seas and win the war.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Under the terms of this bill, does the gentleman believe that there is reasonable hope for some money to come into the Treasury under the operation of this Commission, as in its operation in the other war?

Mr. CULKIN. Certainly. In the first World War the Insurance Commission, similar to the one created by the pending bill, made \$17,000,000 in profits.

Mr. ROBSION of Kentucky. May I also inquire if this permits insurance of foreign vessels or foreign cargoes?

Mr. CULKIN. No; it does not permit the insurance of foreign cargoes.

Mr. ROBSION of Kentucky. Would it permit it if they were being used by the United States or an agency of the United States?

Mr. CULKIN. I think that is probably true. I would not want to commit myself on the floor to that effect, but I think that would be true as a matter of law.

[Here the gavel fell.]

The committee amendments were agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 4, after the word "provided", insert the following: "No insurance broker or other person acting in a similar intermediary capacity shall be paid any fee or other consideration by the Commission by virtue of his participation in any insurance transaction wherein the Commission directly insures any of the risk thereof. Reinsurance shall not be provided by the Commission at rates less than (1) the rates established by the Commission on the same or similar risks, or (2) the rates charged by the insurance carrier for the insurance so reinsured, whichever is the higher, except that the Commission may make to the insurance carrier such allowance for taxes, commissions, and other customary expenses (not to exceed 5 percent of the premiums paid for that portion of the direct insurance so reinsured) as it may deem reasonably to accord with good business practice."

The committee amendment was agreed to.

The Clerk read as follows:

Page 8, line 17, after the word "thereof", insert the following: "and any American-owned tug, or barge, or other watercraft (documented or undocumented), used in essential water transportation or in the fishing trade or industry. This subsection shall not be construed as including any watercraft used exclusively in or for sport fishing."

The committee amendment was agreed to.

The Clerk read as follows:

Page 9, line 2, strike out the quotation marks and insert the following:

"Sec. 228. In conformity with the President's Executive order of February 7, 1942 (Numbered 9054; 7 F. R. 837), the authority conferred upon the Commission by this subtitle shall be vested in and exercised by the Administrator of the War Shipping Administration."

The committee amendment was agreed to.

Mr. HART. Mr. Speaker, I move the previous question on the bill as amendments to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISSUANCE OF DOCUMENTARY EVIDENCE OF UNITED STATES CITIZENSHIP

Mr. DICKSTEIN. Mr. Speaker, in connection with the bill (H. R. 6600) providing for the issuance of documentary evidence of United States citizenship, the House agreed to an amendment on page 3, line 5, as follows:

The provisions of this section shall be applicable only to applications filed after the effective date of this act.

That amendment should not have been incorporated because the House had already agreed to an amendment on page 2 which takes care of the matter. I ask unanimous consent that the amendment on page 3 as indicated may be stricken from the engrossed copy of the bill.

The SPEAKER. Without objection, the amendment will be deleted from the engrossed bill.

There was no objection.

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the Department of Public Works of the City of New York, and, second, a letter from the First District Dental Society of the City of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARTIN J. KENNEDY]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent that on today after the disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. EBERHARTER]?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole today, and include therein a letter I have received from the Department of Public Welfare of Maryland and a short newspaper article entitled "You Are an American, But Can You Prove It?"

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. KELLY of Illinois. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today, and include therein an article appearing in the Chicago Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short letter from one of my constituents.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with regard to a bill introduced today.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

AUTHORIZING SPEAKER AND CLERK TO ACT NOTWITHSTANDING ADJOURNMENT OF HOUSE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House the Clerk be authorized to receive a message from the Senate on the bill, H. R. 6758, and that the Speaker be authorized to sign the enrolled bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from Illinois [Mr. PADDOCK] is recognized for 15 minutes.

CONGRESS AND THE WAR EFFORT

Mr. PADDOCK. Mr. Speaker, the American people have one great common purpose. They are determined to win this war speedily and completely, at the least possible cost in blood and treasure. It is our duty as Representatives to bring about this result. The Seventy-seventh Congress will stand high or low in the Nation's history according to our fulfillment of this obligation. Our personal honor and self-respect depend upon our contributions to the effort.

We must rely on the leaders of our armed forces to plan and achieve the military victory. The high command will provide successful strategy, and implement it with good tactical disposition of our men, ships, and machines. The junior officers and the noncoms will make excellent use of the new mechanized devices and weapons of modern warfare. The American buck privates and sailors will, as always, do a first-class job. There are no better fighting men in military history, measured in courage, intelligence, and discipline.

We in the Congress have our special share in the work. We must see that the victory won in the field is not accompanied by disaster at home. The men who risk their lives must not return to find their country changed through our mismanagement. The institutions for which they fight must be preserved intact during their absence.

One great responsibility we have is to prevent by ceaseless vigilance and tireless investigation all spendthrift waste of the Nation's funds. Our national resources will be strained to the breaking point by the necessary cost of this gigantic war effort. They must not be further drained by extravagance. More than ever before is there an urgent need for rigid economy.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I believe the RECORD should show at this point the type of service the gentleman from Illinois has

rendered in his espousal of those causes for which he is presently contending. I believe the constituency he represents is to be complimented on his painstaking effort and close application to his work. If the economies we all hope for are brought about, I believe the gentleman's contribution and service here can have a very effective part in bringing about that result. Illinois is to be congratulated for the election of the gentleman now addressing the House.

Mr. PADDOCK. I thank the gentleman from Pennsylvania for his contribution.

This war is being financed not only by enormous taxes but by small contributions from every walk of life. In Evanston, Ill., my home city, a 12-year-old boy, Jimmie Healy, gave to a children's subscription campaign, which spread through other neighborhoods, the slogan "A penny a day buys a bomber by May."

When we are seeking war funds down into the schoolboys' pennies, we dare not spend except for the urgent essentials of the war. To permit waste of the money our people are giving with deep patriotic fervor, would be a brutal and indecent breach of trust.

There must be more than economy. There must be keen, vigorous efficiency in all Government operations. Every department and agency, executive or legislative, must function on a wartime basis. Until lately, Mr. Speaker, I believe that Washington was behind the rest of the country in getting down to realistic effort.

There was confusion and there was lost motion. There were alphabetical collisions in every corridor. The "ABC," organized to replace the "DEF," found its field already occupied by the "XYZ," moving in a different direction. Failures were sometimes removed by promotion, to fail again in the new positions. Important letters went unanswered for weeks, weighted down in some dark corner by hundreds of other communications, until the writers wrote their Congressmen and obtained the desired information. There were too many speeches and press releases, too little knowledge and understanding of the actual facts.

Now, the Donald Nelson type of vigorous, intelligent teamwork is increasing. The traditional efficiency of American business is being given a chance to handle America's all-time biggest job. The same vigor, courage, and determination which have made us world leaders in industry are penetrating the management of our war effort. Washington is on its way to be the Nation's real capital, the powerhouse for all our enormous undertakings.

With economy and efficiency in Government there must also be less interference by governmental action with the citizens who are producing our necessary goods, and are paying our needed taxes.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. I have been listening with great interest to the gentleman's discussion of our general situation. He has just referred to the necessity of continuing our war effort without undue interference with business. It has seemed to me that the committee on which the gentleman so ably serves, the Committee on Interstate and Foreign Commerce, has been an example to the other committees, if I may say so, in its attempt to solve the intricate and perplexing problems of business, using as little interference with individual initiative and the rights of citizens as possible. I know the gentleman has taken an active and important part in that work. I therefore feel that when he makes such a general suggestion he knows whereof he speaks.

Mr. PADDOCK. I thank the gentleman from Ohio.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman from Ohio made reference to the Committee on Interstate and Foreign Commerce. I have been deeply interested in an investigation being conducted by that committee into the activities of the S. E. C. Is not the gentleman from Illinois one of the members of the subcommittee making that study?

Mr. PADDOCK. That is true.

Mr. MICHENER. I know the gentleman is working hard on that study. Is the subcommittee ready to report any progress? When may the House expect a report from the subcommittee?

Mr. PADDOCK. The subcommittee of which I am a member has only recently been appointed and will not in the near future have a report to make, but when it comes it will be an interesting report.

Mr. MICHENER. Who are the other members of the subcommittee?

Mr. PADDOCK. The other members of the subcommittee are the chairman, the gentleman from California [Mr. LEA], the gentleman from Ohio [Mr. CROSSER], the gentleman from Maryland [Mr. COLE], and the gentleman from New York [Mr. WADSWORTH].

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I wonder if the gentleman from Michigan will not agree with me that if any work is to be accomplished he feels confident that the gentleman from Illinois will bring a real contribution of helpfulness.

Mr. MICHENER. I do agree with the gentleman because I appreciate that the gentleman from Illinois is especially familiar with the type of work this committee is investigating. I am deeply interested in the whole matter because it is of national importance.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the distinguished majority leader.

Mr. McCORMACK. Mr. Speaker, friends on the other side have been sort of getting my friend in a little trouble. In order that the RECORD may portray

the true state of mind of the gentleman, I take it that the gentleman does not mean business as usual while we are engaged in war.

Mr. PADDOCK. I may say to the gentleman from Massachusetts that I mean business should be conducted on a basis which will help to win the war completely and speedily.

Mr. McCORMACK. That is what I assumed and that is the reason I asked the question, because unconsciously our friends on the other side had left the gentleman in the position where one could justifiably draw the inference that the gentleman's state of mind was otherwise.

Mr. PADDOCK. I thank the gentleman from Massachusetts.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I do think it is rather unfortunate that the distinguished majority leader failed to get the significance of the colloquies that have passed between several of the Members.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield.

Mr. McCORMACK. The gentleman from Massachusetts did not labor under any misunderstanding and that is the reason the gentleman from Massachusetts, respecting our colleague, asked him the questions. Furthermore, the gentleman from Massachusetts never suspected that the guilty conscience of my friend from Pennsylvania [Mr. DITTER] would react so rapidly.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Michigan.

Mr. MICHENER. I do not think it is fair to insert this colloquy into the bowels of our friend's speech here. As I understood the gentleman, the purport of what he said was that it was the duty of this country and of this Congress to bring this war to the earliest possible successful conclusion with the least sacrifice of blood and treasure. Is not that about it?

Mr. PADDOCK. That is my exact attitude and I am glad that the gentleman from Massachusetts [Mr. McCORMACK] and the other gentlemen here are in agreement with me, that the important thing to do is for all of us, the Congress and business and every other element in American life, to act together to win this war.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield.

Mr. VORYS of Ohio. I fear that my interruption provoked this colloquy. I merely want to make this statement. I feel sure that the gentleman in his committee work and in his subcommittee work wants to carry on, not the idea of business as usual, but efficiency as usual, as exemplified by the leadership of the Committee on Interstate and Foreign Commerce when our Speaker RAYBURN, who is now present, was chairman of that great committee.

Mr. PADDOCK. Government competition with business and many details of business regulation should be examined with great care to see what changes in policy will help win the war.

Enormous sums are spent every year by American business in preparing and processing the countless reports which come to Washington, many of them having no present value whatever. In each American year thousands of corporation employees spend time aggregating millions of days in this work. How can we reconcile such a waste of time and money with efficient use of American resources?

Many punitive laws, imposed to correct conditions long since past, need examination and revision in keeping with our present situation. One excellent example of legislation now out of step with wartime necessities is the policy contained in the so-called death-sentence provisions of the Public Utility Holding Company Act. This mandate, if rigidly enforced, would not only cause substantial damage to many thousands of investors, but would also compel the diversion of large sums of investors' capital which are greatly needed in war uses. These drastic provisions should certainly be suspended in many instances.

There should be a moratorium on attempts to create radical and widespread changes in our social conditions. While a nation must always move toward improved ways of life, our people in wartime have neither the willingness to discuss nor the patience to endure such plans to make over the America we have known. Many policies of the recent past are plainly beyond our means and must be abandoned or deferred. Every new proposal and all temporary legislation coming up for renewal must be met with this question, Will it help to win the war?

There must be no wartime profiteering. Those who contribute to the war effort in money, management, or labor must not go beyond a reasonable return. The tax collections must prohibit excessive profits, and our factories must work to their maximum power. It should be remembered that there is no 40-hour week on a submarine, and no time and a half for overtime in Bataan.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield.

Mr. SHORT. I dislike to interrupt the very able statement that our distinguished colleague is making, but I cannot resist the temptation to interrupt him in order to offer my congratulations to him. I want to say of the gentleman from Illinois [Mr. PADDOCK], whose tongue gives his brain an opportunity to function, that his unassuming modesty, his genuine sincerity, and his untiring industry in behalf not only of the people of his own district, but of the entire country, have won for him the respect and admiration of his colleagues on both sides of the aisle. This House needs more men with the courage and the character of the gentleman from Illinois, GEORGE PADDOCK. Knowing the people of his great district—and he has one of the

largest in population and one of the richest districts in the United States—knowing them to be intelligent, as they are, I am sure they will return him to Congress this fall by an increased majority. I trust the gentleman does not blush too much. I am not trying to embarrass him, but I am simply saying these true words which he so richly deserves.

Mr. PADDOCK. I thank the gentleman.

These things our people have a right to demand, and these things they will require of us. A nation whose businesses and factories have been suddenly closed or transferred to different work is in no mood to tolerate a government which is not equally responsive to the needs of war. Taxpayers whose burdens cost not only the luxuries but the decencies of life will demand the best possible use of their payments. The men in uniform, and their anxious families, rely on us for service as loyal and as disciplined as their own.

Let it be said that the Seventy-seventh Congress, whose declaration of war responded to the enemy's attack, made certain the victory by its intelligent and patriotic actions. We can and must enforce economy and efficiency, and promote an all-American teamwork by which every section, and every citizen, can work well together toward the triumphant winning of the war.

PERSONAL EXPLANATION

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to speak for 2 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, being very much distressed, and I might say alarmed, about some situations in some sections of the country, where it seems to me that the forces of disunity are at work, when people are being led to believe things about the war effort that are not true, I made a statement yesterday to the press, taken down by a stenographer when I said it. It was placed in the RECORD of yesterday by the gentleman from Massachusetts [Mr. McCORMACK]. I was trying, if I could, not to serve myself but to serve my country in letting the people know the truth. Very little of that statement was published in the newspapers. The interpretation given by most newspaper writers and many of the commentators on the radio mixed that statement up with the 40-hour week and the time and a half for overtime. I made not one utterance about legislation, prospective or otherwise, any sort of legislation, and I did not have in mind anything with reference to the wage-and-hour legislation. I trust in fairness to me that the newspaper writers and commentators over the radio may take notice.

EXTENSION OF REMARKS

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order heretofore made, the Chair recognizes the gentleman from Pennsylvania [Mr. EBERHARTER].

LABOR AND THE WAR EFFORT

Mr. EBERHARTER. Mr. Speaker, during the past several weeks many speeches have been made on the floor of this House with reference to the labor situation, and particularly with reference to the 40-hour law. During the past week the drive against legislation which we passed a few years ago to bring labor up to a higher standard has been intensive. Of course, this drive has been led generally by those who never in the first instance favored a minimum-wage law or any maximum-hour law, and they see in this war situation, to my mind, a grand opportunity to go back to the days when we had the sweatshops and when very young folks of tender age were working all hours at very low wages. I think it wrong for these enemies of our social structure at this time to use the emergency we are in to attack the wages-and-hours law. I have not been able to find any responsible official of the Government who has taken part in the war-production effort or who has had an opportunity to study the situation who has advocated the repeal of the 40-hour law. Army officials and Navy officials who have been shouldered with the responsibility of speeding up production have in every instance that has come to my attention said it would be destructive of our best war effort to repeal the 40-hour law. I have not heard any chamber of commerce that represents business, I have not heard any of the so-called big-industry leaders, advocate the repeal of this law, and I do not know where the so-called demand comes from.

Certainly labor organizations are not demanding it, and it seems to me it is just an effort, as I said before, on the part of a few people who never really believed in this kind of legislation under any circumstances, to use our emergency to tear down this very advanced legislation. The repeal of that law at this time to my mind, and to the mind of anybody who really looks into the subject, would cause unutterable confusion. It would call for the revision of practically every contract that the Government has entered into with business, and some of those contracts have as much as a year or more to run. It would call for a revision of all of the contracts between industry and labor unions; and industry and labor unions have been getting along very well lately.

It was interesting to me to notice in the newspapers today a letter written to a Member of the other body by Mr. Donald M. Nelson, with reference to the charge that in New Jersey only about 49 percent of industry is functioning to its fullest extent. Donald M. Nelson, in his letter to the gentleman in the other body, cited several reasons why that condition existed, but not one of the reasons given mentioned any labor trouble or any labor disturbance. No hint whatsoever could be taken that labor was not contributing to its fullest extent in New

Jersey, where they are only producing about 49 percent of capacity.

There is another phase of this subject that I think Congress should consider. It is my opinion that in about 6 months from now the demand for labor will greatly exceed the supply. Suppose that at the end of 6 months this labor demand is overwhelming and right at that time we are engaged in the process of trying to revise and have revised all these contracts between organized labor and industry.

Why, the situation would be uncontrollable. Nobody can predict what may happen. In such a situation it seems to me the unions and the workmen will have a grand opportunity, if they have to revise their contracts, to demand higher and better wages, because of the increasing cost of living. This will contribute to inflation, and in many ways will be very destructive of our best war effort. There would be no ceiling on wages during the time the contracts were being revised, and the result would be a vast migration of labor to all of the war-industry centers. Farm labor would all flock to the industrial centers. The cotton picker from the South, from Mississippi, and the apple picker from Virginia would not want to stay in those sections where they get very low wages and do not have much protection. It would be a question of who would pay the highest price for the labor he could get. Perhaps wages would rise as they did in the last World War, where on some occasions just ordinary, common labor was offered \$20 a day. So that is what you are facing if you try to go at this problem in a destructive way rather than in a constructive way. This is no time to make any drastic changes in our social structure. It seems to me we are getting along fairly well right now. The sensible thing is to go about it in a constructive manner, not under the pressure of a hysteria.

I might call the attention of some of those who are blaming labor for all of our troubles right now to the time not so very long ago when Government was very anxious to get the cooperation of business in the manufacture of materials, both for those who are now our Allies and for our own production for defense, when business was very reluctant to cooperate with our efforts, when they, in effect, said, "We cannot go ahead in the manufacture of these materials until the Congress changes certain laws that we do not like—laws with respect to profits and laws with respect to taxation." The Congress, believing that the preparation for our defense was the most important thing, gave in to business and revised and repealed some acts so that we could get the cooperation of business.

Mr. Speaker, I think we should go at this problem in a calm, logical manner and try to attack it as statesmen and not take advantage of this opportunity to tear down our social structure. As the gentleman from Illinois [Mr. Paddock] just said to the House a few minutes ago, we want to maintain our structure if we possibly can, because by doing that everybody in the country will work harder

and it will be conducive to a better war effort.

In conclusion, Mr. Speaker, I want to say I agree with the President that there is in the public mind a good deal of misinformation regarding our wage-and-hour law. But I hold that some responsibility for the misconception and misinformation is on the labor leaders themselves. I do not think that the labor leaders have properly informed the people of the country of the statutes that are being complained about now. I believe that William Green, President of the American Federation of Labor, I believe that Philip Murray, President of the C. I. O., and I believe that the presidents and members of all of the local organizations all over the country should take it upon themselves to explain to their neighbors and their friends and to all those who do not understand how this wage-and-hour law works, just how it does work and how necessary it is that that law remain on the statute books.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DIRKSEN] may extend his remarks in the RECORD and include therein some tables affecting an appropriation bill.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. KOPPLEMANN. Mr. Speaker, on behalf of my colleague the gentleman from Connecticut [Mr. SHANLEY], who has just been called from the floor, I ask unanimous consent that he may extend his own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LABOR AND THE WAR EFFORT

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I listened with a great deal of interest to the statement by my colleague from Pennsylvania [Mr. EBERHARTER], with respect to the current misinformation regarding our national defense effort insofar as it relates to various statutes which are on the books regarding labor. I call the attention of the House to two very informative articles appearing in the current issue of the American Federationist, the official organ of the American Federation of Labor, by men who are exceptionally well qualified and who can speak authoritatively regarding the operations not only of the Wages and Hours Act but of the 40-Hour Week Act. I refer to an article written by General Fleming, the present Federal Works Administrator, and until recently the Administrator of the Wage and Hour Division. This is a concise and fully informative article regarding the misinformation which has been disseminated, and all too often reiterated, even on the

floor of this House. Accompanying that article is one by the Assistant Secretary of Labor, Mr. Tracy.

I would also call the attention of the membership at this time to something that took place in the hearings before the Committee on Naval Affairs on the latest bill introduced by the distinguished gentleman from Virginia [Mr. SMITH]. We had before that committee this morning the Under Secretary of War, Judge Patterson. When these hearings are in print I hope every Member of this House takes the trouble to read them, because after he reads those hearings and the remarks of Judge Patterson he will be in possession of real information and real facts. Bear in mind that Judge Patterson is charged with responsibility in the War Department for our effort in connection with production in war industries. He has stated very definitely that he can see no good to be served by any attempt to legislate these acts off the statute books. He stated very emphatically, as a matter of fact, that he thought it was very unwise and that we might seriously hamper and hinder the defense effort if we were to allow national defense to be used by some people to further their antagonism to certain statutes.

Judge Patterson stated that the War Department was very well pleased and that it was the Department's position that they did not recommend any legislation at this time. I hope every Member of the House will read his statement and will read the statements of others who appear from time to time. Then I shall be willing to let them decide if the judgment of those who are advocating this kind of legislation is sound or whether they are acting without real information with respect to the efforts being put forth by labor in our defense industries.

Mr. KOPPLEMANN. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I shall be pleased to yield.

Mr. KOPPLEMANN. I think on the question of production it might be well for the distinguished gentleman from Pennsylvania to know something that was given to me on Monday of this week, in my town, Hartford, Conn., is located the Colts Patent Firearms Co. They are perhaps the largest producers in the country of machine guns. Last Monday morning their men came to work, but in one of the largest departments they were told there was no work for them due to the fact there was no raw material for them to work with—specifically steel. I feel that when we talk about war production we ought to talk about those who are responsible for not giving the workers of America the things they need with which to produce.

Mr. BRADLEY of Pennsylvania. I thank the gentleman for his contribution.

[Here the gavel fell.]

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GIFFORD. Mr. Speaker, much has been quoted today from the remarks in the RECORD of today, from the address entitled "The Great 40-Hour-a-Week Lie," by General Fleming, an appointee of the President. How about Judge Patterson and the whole military outfit that built the cantonments at enormous waste and expense and where they seemed to be perfectly willing to allow the unions to charge a man \$75 before he could obtain work on defense projects for a possible 6 weeks and a charge of \$25 before being allowed to do even simple manual labor of any sort? Who is the Commander in Chief? Yet you ask us to accept statements from those under him as the last word, as against conditions that we all are fully aware exist.

The gentleman from Pennsylvania may be in favor of 40 hours, time and a half for overtime, and double time for Sundays, and then a lay-off on Monday. Perhaps many of you agree with him. Perhaps it ought to be 32 hours, according to General Fleming's article.

Mr. EBERHARTER. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. The gentleman does not want to place me in the position of condoning any racketeering that may be happening in any isolated instances or anything of that sort. Does not the gentleman agree that if time and a half is paid to workers that the workers will produce more and be willing to render greater effort than if they are held to the same wage?

Mr. GIFFORD. Fleming says if they work eight and a half hours they are inefficient the last half hour. Quote him correctly. The article is printed here for all to read. The gentleman says those who want to emasculate this law are those men who were against the wage-hour law. I was for the wage-hour law and openly advocated it. Do not put me down as one of those who is against labor. I am not. After all it does not matter who is for or against it. We should consider the proposition on its merits.

Mr. EBERHARTER. Does the gentleman want to repeal it?

Mr. GIFFORD. No; I do not want to repeal it permanently, but I want to change that 40-hour law under present conditions.

Mr. EBERHARTER. I am delighted to hear the gentleman say that.

Mr. GIFFORD. We wanted that law when labor was plentiful and there was not work enough to go around. Now, we need more laborers and they need must work longer hours. The ordinary person knows that 40 hours a week, time and a half for overtime and double time for Sundays is not right in this emergency. Does the gentleman deny that?

Mr. EBERHARTER. I will tell the gentleman definitely that I favor the retention of that law on the books and time and a half.

Mr. GIFFORD. Because of contracts that have been awarded?

Mr. EBERHARTER. Time and a half for overtime, I certainly favor that.

Mr. GIFFORD. Does the gentleman favor double time on Sunday and let a man lay off on Monday?

Mr. EBERHARTER. I have not come to any conclusion on that.

Mr. GIFFORD. The gentleman is trying hard to support the administration.

Mr. EBERHARTER. I am inclined to believe that the labor organizations and industry will get together on that proposition of double time for Sundays and that will be ironed out without Congress butting into that proposition.

Mr. GIFFORD. Has it been ironed out in the past?

Mr. EBERHARTER. One more question.

Mr. GIFFORD. I want to read from this remarkable speech by General Fleming:

The Bureau of Labor Statistics has reported upon a highly revealing survey covering this point. * * * The survey, as I recall it, covered some 70 industries, including the principal ones now concerned in the war effort. It was made for the month of January 1939, and it showed that every one of those industries could have increased the working week to 48 hours, paid time and a half for the 8 hours of overtime, and made greater profits than the considerable profits they did make.

Does this sound persuasive to you?

I have not language to express myself on that. Somebody made a survey and somebody made that report, but it goes against common sense, and I have a little of that left, I trust. I attended the hearing this morning, and I heard the gentleman from Pennsylvania question the witnesses. It was very entertaining. He had read this article carefully, and his questions reflected the Fleming argument perfectly. I ask all of you to read it. There is much in it, if you will read it carefully, that reflects a great desire to protect somebody by a greatly strained defense.

Mr. EBERHARTER. Has the gentleman heard of any group of workers that has refused to work more than 40 hours a week?

Mr. GIFFORD. I do not think so; certainly not with time and a half and double time. The boys made big money building those cantonments with double-time payments. Does the gentleman believe in a man paying \$75 to join a union to work on national defense projects?

Mr. EBERHARTER. More than 40 hours?

Mr. GIFFORD. Does the gentleman believe in paying \$75 to a union in order to work?

Mr. EBERHARTER. I think a laborer is worthy of his hire.

Mr. GIFFORD. Does the gentleman believe in paying \$75 to a union in order to go to work?

Mr. EBERHARTER. Well, now, in some instances that may be perfectly all right, if it is a skilled labor organization.

Mr. GIFFORD. I had difficulty in extracting that admission. The gentleman

is apparently finding some difficulty in defending his awkward position in this matter.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WEISS (at the request of Mr. EBERHARTER), indefinitely, on account of serious illness in his family.

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2198. An act to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

ADJOURNMENT

Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 2 minutes p. m.), pursuant to the order heretofore adopted, the House adjourned until Monday, March 23, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

On Saturday, March 21, 1942, at 10 a. m., hearings will be resumed on H. R. 6444, to provide for the registration of labor organizations, business and trade associations, etc., before Subcommittee No. 3 of the Committee on the Judiciary. The hearings will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1516. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army dated November 6, 1941, submitting a report together with accompanying papers, on a preliminary examination of Wray, Colo., on the North Fork of the Republican River, authorized by the Flood Control Act, approved on June 28, 1938; to the Committee on Flood Control.

1517. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army dated November 4, 1941, submitting a report, together with accompanying papers on a preliminary examination of the Sonoma Creek, Calif., authorized by the Flood Control Act, approved on

June 28, 1938; to the Committee on Flood Control.

1518. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army dated November 6, 1941, submitting a report, together with accompanying papers, on a preliminary examination of the Smokes Creek at Lackawanna, N. Y., authorized by the Flood Control Act, approved on June 28, 1938; to the Committee on Flood Control.

1519. A letter from the Secretary of War transmitting a draft of a proposed bill to equalize the rates of pay of all personnel in the United States Army, the Philippine Scouts, and the Philippine Commonwealth Army, and for other purposes; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SPARKMAN: Select Committee Investigating National Defense Migration. Submit a report pursuant to House Resolution 113, Seventy-seventh Congress, first session; without amendment (Rept. No. 1911). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. H. R. 4579. A bill to amend subsection (c) of section 1 of Public, No. 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes; without amendment (Rept. No. 1933). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PITTENGER: Committee on Claims. S. 1563. An act conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of Albert M. Howard; with amendment (Rept. No. 1912). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. S. 1619. An act for the relief of the Bell Grocery Co.; without amendment (Rept. No. 1913). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 1766. An act for the relief of John Snure, Jr.; without amendment (Rept. No. 1914). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 1776. An act for the relief of Mrs. Agnes S. Hathaway; without amendment (Rept. No. 1915). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. S. 1801. An act for the relief of Eugene Jackson; without amendment (Rept. No. 1916). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 2175. An act for the relief of Bibiano L. Meer; without amendment (Rept. No. 1917). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 2187. An act for the relief of Tom G. Irving; Thomas G. Irving, Sr.; J. E. Irving; Mata D. Irving; L. T. Dale; and Amelia Dale; without amendment (Rept. No. 1918). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 488. A bill for the relief of Kathryn O. Sweeney, Mary Kay Sweeney, Nancy Lee Sweeney, and Alex H. Sweeney (collectively); with amendment (Rept. No. 1919). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 1736. A bill for the relief of Lillian Last; with amendment (Rept. No. 1920). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 2424. A bill for the relief of Clarence J. Meteyer, Lester W. Engels, and Dorothy B. Engels; with amendment (Rept. No. 1921). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 4462. A bill for the relief of the indigent and dependent heirs of Ted Vaughan; with amendment (Rept. No. 1922). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 4941. A bill for the relief of J. C. Lemon; with amendment (Rept. No. 1923). Referred to the Committee of the Whole House.

Mr. RUSSELL: Committee on Claims. H. R. 5210. A bill for the relief of E. M. Conroy; with amendment (Rept. No. 1924). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 5454. A bill for the relief of David Caron; without amendment (Rept. No. 1925). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 5625. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co.; with amendment (Rept. No. 1926). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 5713. A bill for the relief of George W. Lyle under the jurisdiction of the United States Employees' Compensation Commission; without amendment (Rept. No. 1927). Referred to the Committee of the Whole House.

Mr. RUSSELL: Committee on Claims. H. R. 5772. A bill for the relief of Mr. and Mrs. Glenn A. Hoss; with amendment (Rept. No. 1928). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 6457. A bill for the relief of Lacey C. Zapf; with amendment (Rept. No. 1929). Referred to the Committee of the Whole House.

Mr. MCGEEHEE: Committee on Claims. H. R. 6748. A bill for the relief of Fred Farnar and Davis M. Schroeder; without amendment (Rept. No. 1930). Referred to the Committee of the Whole House.

Mr. MEYER of Maryland: Committee on Claims. S. 836. An act for the relief of John C. Crossman; without amendment (Rept. No. 1931). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. S. 984. An act for the relief of Mr. and Mrs. James C. Loard; without amendment (Rept. No. 1932). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MURDOCK:

H. R. 6813. A bill for the acquisition of Indian lands required in connection with the construction, operation, and maintenance of electric transmission lines and other works, Parker Dam power project, Arizona-California; to the Committee on Indian Affairs.

H. R. 6814. A bill to provide for a 48-hour workweek during the present war in wartime industries, to provide compensation for overtime, and for other purposes; to the Committee on the Judiciary.

By Mr. THILL:

H. J. Res. 296, Joint resolution authorizing the President of the United States of America to proclaim March 22, 1942, National Prayer Sunday; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GORE:

H. R. 6815. A bill for the relief of Timothy Williams; to the Committee on Invalid Pensions.

By Mr. MCINTYRE:

H. R. 6816. A bill for the relief of Homer C. Chapman; to the Committee on Military Affairs.

By Mr. THOM:

H. R. 6817 (by request). A bill for the relief of Lloyd A. Emick; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2580. By Mr. HILL of Washington: Petition of the Iota Sigma, Walla Walla, Wash.; to the Committee on Military Affairs.

2581. By Mr. CUNNINGHAM: Petition of sundry citizens of Des Moines, Iowa, advocating the enactment of Senate bill 860 so as to give the young men of 1942 the protection their fathers had in 1918; to the Committee on Military Affairs.

2582. By Mr. LANE: Petition of the Teamsters Joint Council, No. 10, of Boston, Mass., and vicinity, providing for an immediate congressional investigation to determine the exact extent of the available stock of rubber supply both raw and manufactured to the end that proper facilities be established as soon as possible to insure necessary tires for equipment engaged in transportation facilities; to the Committee on Rules.

2583. By Mr. VAN ZANDT: Petition of members of the Palestine Methodist Church, Morrisdale, Pa., urging that the sale of intoxicating liquor be banned from Army camp areas; to the Committee on Military Affairs.

SENATE

FRIDAY, MARCH 20, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

O Christ of God, who art the Master Builder of the temple of man's soul, into which our three score years and ten sweep their thoughts, their dreams, and hopes, together with their prayers and tears, committing all this treasure into the hands of Him who slumbers not nor sleeps: Help us, we beseech Thee, by the exercise of reason and of conscience, so to beautify the galleries of memory, the chambers of affection, and the halls of our imagination, that when trouble and adversity lend gloom to our experience, hope will abide to lighten any shadow that may be cast by our bewilderment.

Reveal to us the fact that at such a time as this, full oft a Form Divine enters

this earthly scene, that thoughts and hopes that are not ours knock at our door like messengers unbidden, to aid us in our work.

O Saviour of the world, who dost set keepers to guard the living city of man's soul, do Thou give Thy holy angels charge over the fallen hero, the dying mother, the helpless child, for Thou hast taught us in Thy Holy Word that man's soul is the Father's living temple, not built by earthly hands, but eternal in the heavens, with this comfort may our lives be abundantly refreshed throughout this day. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, March 19, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6543) to amend certain provisions of the Internal Revenue Code relating to the production of alcohol.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6554. An act to amend war-risk insurance provisions of the Merchant Marine Act, 1936, as amended, in order to expedite ocean transportation and assist the war effort; and

H. R. 6600. An act providing for the issuance of documentary evidence of United States citizenship.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 6758) to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones, and it was signed by the President pro tempore.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of the Treasury, Interior, Agriculture (3), and Labor; the Federal Security Agency (2), and The National Archives (4), which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, was referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A paper in the nature of a petition from Annie Pearl and several other citizens of New York, N. Y., praying for the enactment of legislation to outlaw strikes and to repeal the 40-hour workweek provision of law during war time; to the Committee on Education and Labor.

A resolution of the Council of the City of Cincinnati, Ohio, protesting against the enactment of proposed legislation which would exempt from State and local taxation the sale, purchase, storage, use or consumption of tangible personal property and services used in performing defense contracts; to the Committee on Finance.

A resolution of the Kern County Pomona Grange, Buttonwillow, Calif., requesting that the United States Bureau of Reclamation make studies in relation to the economic problems which may arise upon completion of the Central Valley project in California; to the Committee on Irrigation and Reclamation.

A resolution of Local Union No. 2528, United Brotherhood of Carpenters and Joiners of America, of Rainelle, W. Va., favoring the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. CAPPER:

A petition of sundry citizens of Abilene, Kans., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

RESOLUTION OF BOARD OF COMMISSIONERS OF WICHITA, KANS.—TAXATION OF MUNICIPAL SECURITIES

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and referred to the Committee on Finance a resolution adopted by the Board of Commissioners of the City of Wichita, Kans., protesting against the taxation of municipal securities.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas in the past municipal securities have been sold by the city of Wichita, Kans., at a favorable interest rate, so as to maintain a reasonably low tax levy, and low cost of municipal financing in the city of Wichita; and

Whereas, according to the best opinion available, a Federal tax on the interest from municipal securities would increase the interest rate thereon, by from 1½ to 2½ percent above present interest rates, which increase would necessarily have to be raised by local taxation; and

Whereas the city of Wichita, Kans., and other municipalities are already raising by local taxation, and expending large sums of money in defense activities that are essential to a successful prosecution of the war; and

Whereas the great bulk of local taxes in the city of Wichita are raised by levies on real estate, and any increase in the tax levy would place a direct burden on thousands